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SEP 09 2004  
*RmR* 5-80  
 YOSEMITE NATIONAL PARK  
*Page 1 of 6*

To: YOSE Planning@NPS  
 cc:  
 Subject: MRP SEIS Comments

FYI...my comments are attached; I have provided a copy to  
 letter directly to you.

who suggested that I send my

Please feel free to contact me at if you have any questions or concerns.



Thank you. MRPSEISKT.doc

Yosemite National Park, CA

September 8, 2004

RECEIVED

Michael J. Tollefson  
Superintendent  
Yosemite National Park  
Post Office Box 577  
Yosemite National Park, CA 95389

SEP 09 2004  
RMR S-8D  
YOSEMITE NATIONAL PARK  
Page 2 of 6

Dear Mike:

Please consider the following remarks for inclusion with formal scoping comments regarding the Merced River Plan. I am submitting these remarks based upon my thirty-two years of employment by the National Park Service at Yosemite National Park. During this period, I have been employed as the Acting Fee and Revenue Manager, Concessions Management Specialist, Program Analyst, Valley Campground Manager, Park Ranger (Criminal Investigator) and as an administrative assistant to the Chief Law Enforcement Officer. I understand that scoping comments are limited to two concerns:

1. User capacity along the Merced River corridor, including the South Fork which flows through the Wawona District of the Park.
2. Delineation of the river protection corridor within the El Portal Administrative Site

I have provided a copy of my comments to my immediate supervisor, Marty Nielson, who may incorporate some of my thoughts into an NPS Division of Business and Revenue Management consolidated response. Marty has suggested that I provide my comments to you representing my personal thoughts, too. My comments in this regard relate to two primary concerns—employee housing and peak demand for services.

Employee Housing:

I have said to many people over the years that "all roads lead to employee housing." I believe that the "root cause" of nearly all managerial and operational "challenges" in Yosemite National Park can be traced to employee housing. Unfortunately, the subject of employee housing has been regarded by many as a "political" issue, and thus has not received the objective, critical analysis that it deserves. From my perspective, "employee housing" is at the heart of the two current issues outlined above.

The 1,200 acre administrative site in El Portal was acquired by the National Park Service nearly fifty years ago for the express purpose of relocating administrative support facilities outside Yosemite Valley to a nearby location where essential services, activities

and infrastructure could directly support park operations. To date, we have been successful in developing substantial operational worksites within the Administrative Sites, and some employee housing for National Park Service staff. We have spent much of my thirty-two year tenure in the park in planning for the development of additional support facilities throughout the administrative site, including employee housing for park concessioners and other partners. Approximately twenty-five years ago, the NPS predicted that El Portal would become a "model park community" with a wide range of operational and administrative facilities, and many community amenities that would enhance the quality of life of park employees and their dependents. Employees were told that such amenities would include opportunities for investment in privately owned homes located on government lands, as well as retail and other community services. Unfortunately, very little of these proposed improvements related to employee housing and community life have taken place since the early 1970's. Certainly some notable improvements have been made that have largely benefited the National Park Service sector of the workforce. Employees of the primary park concessioners have not fared as well.

Over the last thirty+ years, I have come to the conclusion that very little investment in out-of-park employee housing will take place by large-scale park concessioners. From an operational standpoint, the concessioner relies heavily on a workforce who can respond quickly to visitor service needs. As has been well documented elsewhere, many concession employee positions are low-end service occupations. Although the current concessioner workforce is comprised of members of two unions (Service Employee International and Teamsters), few employees earn wages that would allow them to invest in home ownership outside the park in gateway communities. From my perspective, any expectations by the National Park Service, concession contractors or the general public, that large numbers of concession employees will elect to live outside the Yosemite Valley/El Portal area are seriously flawed. I say this because of the following:

1. The cost of real estate in nearby communities has accelerated during the past few years at a rate that has simply priced many park employees out of the private housing market. I believe that this has been clearly established in the recent Mariposa County General Plan.
2. Many concession executives and managers who could conceivably purchase a private residence in gateway communities such as Mariposa or Oakhurst have work obligations that simply could not be met if the workday began and ended with an hour or more commute over our local road system. I have grown to know many local concession executives and managers over the years, and I know that most of them work very long days (and nights) in positions that directly support visitor service activities. These are "hands-on" managers who are expected to pitch-in to bridge the gap between limited staffing and demand for visitor services. I am convinced that many hospitality managers would find the working/living conditions beyond the limits of physical performance if they were expected to commute long distances on a consistent basis. It should be recognized that nearly any employee, supervisor, manager or executive could work a regular shift and commute on an occasional basis to and from a gateway

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community with little impact on their health and personal life. However, doing so on a daily sustained basis is another matter. I believe that many hospitality managers would simply choose to seek employment at another less-daunting location. I feel confident in making this statement because I know that the current concessioner, Delaware North Parks and Resorts, has experienced great difficulty in recruiting and retaining staff at all levels, including executive, mid-level management, first-line supervisor and general staff.

If we eventually find that we will be restricted from developing high-density employee housing and support services on the El Portal Administrative Site, I believe that we will be forced to further reduce commercial visitor services as well as many of the activities provided by the National Park Service because without a substantial employee infrastructure that includes quality housing and other community amenities that combine to make Yosemite a desirable worksite. Over time, I expect that without substantive sustained improvements to the programs and activities that support the workforce, Yosemite National Park will be unable to compete successfully for large numbers of quality workers who will be able to make a personal commitment to serve park visitors and protect park resources. In other words, I feel that potential consequences to being restricted from developing a large number of quality living accommodations and related support facilities within the El Portal Administrative Site seriously compromise the National Park Service's ability to fulfill our mission to protect park resources and provide for visitor use in a responsible manner.

#### Peak Demand for Services

Congestion: Based upon my years of experience in Yosemite, I realize that park roadways and parking areas are sometimes very congested during periods of peak demand (generally between 9 a.m. and 3 p.m. on summer weekends). During nearly all other times, congestion is not a significant concern. It is important to note that even during periods of peak congestion, the crowding and competition for available developed infrastructure is limited to relatively small sections within developed areas such as Yosemite Valley, Tuolumne Meadows, Glacier Point and the South Entrance/Mariposa Grove. From my perspective, the subject of "congestion and crowding" has become another "political" issue. Those who are truly familiar with visitor use patterns in Yosemite realize that peak congestion is just that—demand peaks during periods of high visitor activity, and then drops off to manageable levels shortly afterward. A comparison to our peak-demand periods might be made to periods of last-minute holiday shopping at popular shopping centers. Those who wait until the last minute know to expect crowding and retailers prepare for them by increasing in-store staffing, and managing parking and vehicle circulation within the available infrastructure. My opinion is that we have shown that similar efforts can be successful on a local level. I believe that past efforts on the part of the park to convince the general public that strict access restrictions to Yosemite National Park (and specifically to Yosemite Valley) were necessary on a regular basis have been seen as being unwarranted and overreaching and representing a minority of citizens.

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Yosemite National Park  
Rm 12 S-8D

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I recommend that we begin to scale back our expectations for broad restrictions, and begin to develop operational plans to better manage predictable periods of peak demand. Operational plans would include increased staffing to assist visitors and making optimum use of all available existing infrastructures, including concession facilities. I believe that we can do a better job making use of what we already have, if we have the will to do it. Opening an effective dialogue with gateway communities is essential in this regard. I am certain that our efforts to garner support for some limited restrictions would find some support if we began focusing on predictable periods of peak demand.

Resource Impacts: In my opinion, much of the impacts associated with congestion outside of roadways and parking lots are a result of the development of insufficient public use facilities such as picnic areas and commercial food service establishments to meet daytime visitor needs during periods of high visitation. Many people who populate the shoreline of the Merced River in Yosemite Valley do so while picnicking or engaging in other recreational activities such as swimming. Many large groups such as extended families gather along the river—adults preparing food, children playing along the riverbank and in shallow water. In my opinion, the park has not provided sufficient facilities for these types of users (who are often comprised by families of ethnically and socially diverse backgrounds). Based upon my experience as a concessions management specialist, I understand that the food services offered by the primary concessioner do not satisfactorily meet the needs of many visitors as price, quality, selection and operating hours are concerns that are frequently noted in written complaints directed to our office. I know that some members of the park staff have questioned my statement that, "Food service is a resource issue." However, I believe that an objective analysis would reveal that many visitors (and especially those who are return visitors) find that concessioner food services do not meet their needs. They frequently bring food from home and attempt to find a picnic site in the park. Picnic sites are very limited, and no group picnic facilities are offered. If we are sincere about reaching out to ethnically and socially diverse constituents, I recommend that we look carefully at this issue.

Voluntary Shuttles: I suggest that we explore the potential for shuttling visitors to and from existing parking lots located at private lodging in El Portal and Fishcamp, especially during periods of peak demand! It seems evident that we should attempt to make the best possible use of parking lots that have already been developed near park boundaries before we attempt to build more parking lots within the park to facilitate private vehicles from moving just outside the park to inside the park. I believe that doing this could alleviate a significant portion of our congestion during periods of peak demand. I expect that members of the business communities in gateway locations could eventually see the logic for limited, voluntary shuttle services to locations directly adjacent to the park boundaries.

Gateway Partners: As to gateway community partners—I applaud our recent efforts to invite leaders in these communities to learn more about the park, and park operations specifically. I recommend that we plan to invite many of our partners to visit us during periods of peak demand for a "behind the scenes" operational tour of the park so that they might learn first-hand about our efforts to manage congestion. In the long run, I expect

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that some gateway partners might truly appreciate our efforts and our limitations if they saw the park from the perspective of an "insider" who knows first-hand what visitor management efforts have been successful. They might even have good ideas about how they can help!

I appreciate the opportunity to comment on the current Supplemental Environmental Impact Statement for the Merced River Plan. Please feel free to contact me if you have any questions about my comments.

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SEP 13 2004  
KMR-5-98  
YOSEMITE NATIONAL PARK

To: <Yose\_Planning@nps.gov>  
cc:  
Subject: Revised Merced River Plan/SEIS

September 9, 2004

Wawona, Ca.

I have a number of concerns involving the boundary changes in the El Portal area and carrying capacities of the Merced River.

First, the current plan established the river protection overlay in El Portal along the 100-year floodplain. Establishing a river boundary in the El Portal area out a quarter mile would greatly limit areas for development of future employee housing and other administrative facilities because of the steep sides of the river canyon. This would force the Park Service to look to other alternatives for relocation of some Yosemite Valley facilities, employee housing and any necessary future administration development. Other alternative locations previously identified, include Wawona.

Section 35 in Wawona is almost entirely zoned as Mountain Residential. This consists of single family homes. Mariposa County zoning for private property does not allow for high density housing. A number of Park Service buildings are currently being used as dorms for Park Service and DNC employees. While Mariposa County zoning does not apply to Park Service property, the Revised Record of Decision states that in Section 35, on either side of the south fork of the Merced River that it is the intent of the National Park Service that any development for administration or operations in Section 35 would be compatible in character, density, and scale to existing residential and commercial development (page A-19). The issue of new, high density housing on the south side of the river is still an option for the Park Service, it is not compatible to the communities character.

El Portal was developed as, and has been used for many years as an administration site and employee housing. The impact of high density housing on the Merced River is much less in the El Portal area than similar development in Wawona. In Wawona, there

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YOSEMITE NATIONAL PARK

are wetlands near the river which are much more fragile than the more arid conditions of the El Portal area. In addition, Wawona has few amenities compared to El Portal and would require extensive commercial development to support high density development. Potable water is also in limited supply with a U.S. Geological survey in the late 1980's stating that there is not enough water currently available in the Wawona Basin for any substantial development.

Secondly, the Plan suggests that visitation limits may be controlled by parking limitations and by lack of shuttle bus stops. I see these actions as forced limitations based solely on resource protection and not on a balance with visitor experience. There will be plenty of parking for visitors staying in lodge facilities and fewer for camping as there have been a large reduction in camping spaces in Yosemite Valley. I was born in Yosemite Valley and was a ranger for awhile there for a short time in 1970. While at that time there were too many campsites, the number of campsites has been overly reduced since then and the Plan calls for further reduction as campsites are considered a facility in the 100 year floodplain. These "lower end" facilities are what the vast majority of visitors consider their experience with nature in Yosemite Valley.

In Frederick Law Olmsted's Yosemite and the Mariposa Grove : A Preliminary Report, 1865, he goes to great lengths to show that society has historically held parks as playgrounds for wealthy. Stating ; "The enjoyment of the choicest natural scenes in the country and the means of recreation connected with them is thus a monopoly, in a very peculiar manner, of a very few, very rich people."..."it is necessary that they should be laid open to the use of the body of the people. The establishment by government of great public grounds for the free enjoyment of the people under certain circumstances, is justified and enforced as a political duty." Even 140 years ago the first chairman of the Yosemite Commission was fearful that Yosemite "...will remain, practically, the property only of the rich."

Parking and campgrounds should be maintained at a level that would facilitate the majority of the yearly visitors to Yosemite. Camp spaces should be much bigger, but the number of overall sites should not be reduced. An inter-park bus system should be extended to other areas of the Park and campers encouraged to travel into the valley on these buses. A free round trip bus service should be provided from the other two districts to Yosemite Valley during the summer. Busses would leave Wawona in the morning, stopping at Wawona Pioneer History Center, Wawona Campground, Chinquapin. A bus from Tuolumne Meadows would also leave in the morning and stop at Crane Flat. The busses would return to the outlying districts mid morning and then make the same round trip late afternoon or early evening. The Park Service would educate and encourage the camping public in the use of this service, this would limit the need to greatly expand the existing parking areas.

Thank you for the opportunity to provide my written comments. I hope that prior to or during the final comment period in the spring of 2005 that Park Service Planning meets with the Wawona Town Planning Advisory Committee as required in the Plan.



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Upper Merced River Watershed  
Mariposa, CA

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YOSEMITE NATIONAL PARK

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2004 SEP 10 P 1:43

**FAX**

**To:** Mike Tollefson, Superintendent      **Fax:** 209 372-0220

**From:** Upper Merced River Watershed      **Date:** 09/10/04

**Re:** SEIS Comment      **Pages:** 2

☐ Urgent      ☒ For Review      ☐ Please Comment      ☐ Please Reply      ☐ Please Recycle

We are faxing you a copy of the Upper Merced River watershed Council's comment on the User Capacity management Program for the Merced Wild and Scenic River Corridor.

FYI, Park e-mail addresses do not appear to be working at this time as e-mail messages are being returned as undeliverable.

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# Upper Merced River Watershed

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SEP 13 2004  
RMR-5-97  
YOSEMITE NATIONAL PARK

To: Superintendent, Yosemite National Park

From: Coordinators Upper Merced River Watershed

RE: Comments, User Capacity Management Program for the  
Merced Wild and Scenic River Corridor

The Upper Merced River Watershed Council is a stake-holder organization whose mission is to protect and enhance the natural, cultural, and economic values of the Upper Merced River Watershed Council. The mission is carried out by outreach to the public, partnering with organizations and agencies, and on-the-ground projects.

The Council strongly endorses the concept of establishing a Visitor Carrying Capacity for Yosemite Valley as proposed and supports efforts to protect the outstanding values of the Merced River within the corridor.

However, the Council believes that public education is key if protection of the resources is to be balanced with visitor use. Yet the SEIS does not address the need for public education in its discussion of Best Management Practices or of Monitoring Techniques. If these BMPs or Monitoring Techniques are to be effective, visitors must understand why they are being implemented and how they will improve the experience of visitors to Yosemite National Park and the Merced River Watershed.

Mariposa, Ca

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SEP 13 2004  
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YOSEMITE NATIONAL PARK

Michael Tollefson, Superintendent

ATTN: New and Improved Merced River Plan/SEIS

P.O. Box 577

Yosemite CA 95389

Superintendent Tollefson:

### A CAMPER'S RECREATIONAL EXPERIENCE

I am a camper – a Yosemite Valley Camper. The following is a glimpse of our family's "recreational experience" in Yosemite.

Once we pass the entrance gate from Hwy 41 we talk about how lucky we were to get reservations, to be able to come another year. My father, who is 86, has been camping in Yosemite since 1946. When he returned from WWII, he and my mother visited for the first time, driving their car and hauling the teardrop trailer behind them.

As we start the drive down into the valley our excitement is evident. We reminisce about the old store that used to be at the Badger Pass cut off, that granite slab that used to hang over the road and all the other many memories we have accumulated in 55 plus years of being Yosemite campers. All the turns and curves in the road are familiar as if driving to an old friend's home. Approaching the tunnel and seeing the light at the end is a signal that heaven awaits us. And once we exit, we are witness to one of nature's most majestic gifts to mankind. We always stop and view the valley. No matter how many times you see it, it is too grand to not stop and appreciate.

Once in the valley the work starts. All family members participate and help to set up camp. It's a fun and wonderful experience. Each of us contributes to the building of our home for the few days a year we live in nature.

Waking in the early morning and putting on the coffee is one of my special times. Why? Because there is no electric coffee pot, no electric alarm, there is NO RUSH. Only the opportunity to slow down and be in step with nature; to feel the cool morning air, to sit in quiet and listen to nature and soak in the beauty of the valley.

The evenings are filled with conversation and laughter. All ages in our family are together and we participate with nature and are in harmony with our surroundings.

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YOSEMITE NATIONAL PARK

This is just a small glimpse into our family's tradition, a tradition that is in danger of becoming extinct, and a tradition that will be lost to our family and thousands of other American families.

Yosemite is a national park, a "nature" park. It is not a resort. As environmental icon David Brower so wisely stated: Yosemite should be a nature center, not a profit center. Camping, living with nature, is as close as you can get and it is our "recreational experience."

In the 55 plus years of camping in the valley we have made wonderful friendships with other campers, we have helped a "neighbor" in need, and have been helped ourselves. Our children and grandchildren have had the freedom to chase a squirrel, play in the river and roast marshmallows over an evening campfire.

Campers are part of Yosemite's history, yet we were denied the opportunity to actively participate in the Valley plan.

Camping does not require permanent structures for lodging.

Camping does not require service employees to cook our meals or clean our sleeping quarters.

Tent campers don't need elaborate sewer hook-ups.

Campers don't need rental rafts -- we can bring our own.

Campers don't need bike rental, we can bring our own.

Camping crosses economic and ethnic boundaries. Unlike high priced lodging, camping is affordable to young families, and low-income families.

### USER CAPACITY

The 9<sup>th</sup> Circuit Court of Appeals was very clear in stating that the National Park Service evaluate user capacity of the river corridor AND THEY FURTHER STATED "WE DID NOT OTHERWISE UPHOLD THE CMP."

The Merced River Plan is invalid-it must be redone. You cannot arbitrarily crunch user capacity numbers in isolation without reexamining the other management elements such as land-use management zoning. This is a comprehensive management plan that requires an integrated approach to managing the Merced River corridor in the context of the greater Yosemite Valley.

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YOSEMITE NATIONAL PARK

When the NPS bulldozed the Upper and Lower River Campgrounds, without even consulting the camping community, they revealed what their intentions were. They told campers YOU'RE OUT! You're not the "kind" of visitor that we really want. The elimination of these campgrounds was done without proper authority, without proper notification. This type of behavior cannot be tolerated any longer. The NPS has the responsibility to abide by the rules set forth which includes the 9<sup>th</sup> Circuit Court of Appeals.

### USER CAPACITY AS IT RELATES TO VISITOR DEMOGRAPHICS

According to your own document, Merced Wild and Scenic River, Draft Comprehensive Management Plan and Environmental Impact Statement (Part 1 of 2: Executive Summary, Chapters I-III, January 2000), on page III-225, re Visitor Demographics: the 90/92 Gramann (2) survey of Yosemite visitors states that non-Anglo visitors to the park are under represented compared to the population of the nation or of California alone. The majority of proposed changes to the visitor experience will guarantee that this trend will continue and become more unattainable to low-income/minority groups. On page IV-271 (part 2 of 2) – socioeconomic your further state "it is not expected that zoning prescriptions under this alternative would exclude or attract any different visitor groups such that the overall character of the "average" Yosemite visitor changes appreciable from its current form". In other words it's business as usual. Except now, with the elimination of so many campsites you are manipulating and selecting what type of visitors you welcome and cater to. Low income, and minorities will have an almost impossible task of getting a camping reservation. You are turning the Yosemite experience into a resort experience that caters to the affluent and wealthy foreign visitors.

Economic discrimination is not new. And the subtle by product is the denial or restrictions imposed onto people of color, low income, and other minority groups. If you price anything high enough you eliminate a great many people. You don't have to be a National Park planner to figure out which group of Americans will have greater access. Our national parks are just that, "they belong to the nation". Not just to the affluent or foreign visitors who bring big dollars.

You may want to dismiss campers under a politically correct "environmental justice" paragraph but no matter what you call it, it is discrimination. Further reduction, or elimination of campsites in the valley is unacceptable.

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**DIRECTIVE ORDER 75-A(11/14/02 TO 11/14/07), Civic Engagement and Public Involvement.**

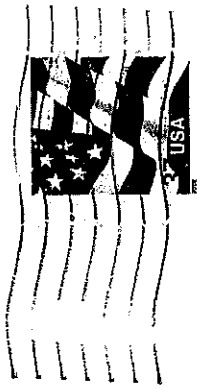
In light of the improper removal of the Upper and Lower Campgrounds, as Co-Founder of the Yosemite Campers Coalition I respectfully request to actively participate in the planning and decision-making processes that this Directive Order mandates.

The camping community as well as other stakeholders have a right to be involved in the planning and decision-making process as well as implementing and monitoring the final outcome. The camping experience has been part of Yosemite since the first visitors arrived. This most natural way of living in and with nature must be preserved for future families. Yosemite must be respected and the planning process needs to consider all issues, all sides.

Sincerely,

La Habra CA

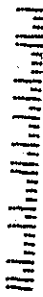
Se Habra CA



Michael Tolleyson, Superintendent  
ATTN: New & Improved Manned River PlaySEIS  
P.O. Box 577  
Yosemite CA 95389

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ATTN: MRP Scoping: FoYV/MERG Scoping Comments on Merced River Plan/SEIS

Friends of Yosemite Valley  
Cupertino, CA; Yosemite, CA

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YOSEMITE NATIONAL PARK

MERG (Mariposans for Environmentally Responsible Growth)  
Mariposa, CA

Superintendent Tollefson  
Yosemite National Park  
PO Box 577  
Yosemite, CA 95389  
FAX 209 379 1294

RE: FoYV/MERG Scoping Comments on Merced River Plan/SEIS

Superintendent Tollefson:

As a result of FoYV/MERGS' 4 year work to get a truly protective Comprehensive Management Plan (CMP) for the Merced Wild and Scenic River as required by the Wild and Scenic Rivers Act, the court ordered the Merced River Plan to be redone or revised. Thus the National Park Service has opened the Merced River Plan for revision; projects in the Yosemite Valley Plan, which tier from the illegal and unprotective River Plan, need to be revisited based on a valid CMP for the Merced River.

**1) PRIORITY OF WSRA:** A river is designated Wild and Scenic based on specific outstanding values which are known as the "outstandingly remarkable values" (ORVs) of the River. The Wild and Scenic Rivers Act (WSRA) requires protection and enhancement of these identified values of the River for which it was designated Wild and Scenic. It does NOT allow for uses which degrade the ORVs.

The Act places primary emphasis on protecting the river's esthetic, scenic, historic, archaeologic, and scientific features.

**2) BASE RIVER PLAN ON ORVs:** The Merced River Plan must be BASED on protecting and enhancing the Outstandingly Remarkable Values (ORVs) of the Merced River. The Merced is a designated Wild and Scenic River. The Wild and Scenic Rivers Act (WSRA) mandates that the Rivers Values not only be PROTECTED, but also ENHANCED! If this plan once again fails to truly protect the River's values, the plan will again be a failure.

Start the planning process with identifying where each ORVs occurs (eg not merely where an animal nests, but its range and the plants, other animals, river processes, and so on upon which it relies and with which

it interacts), what it is affected by (eg River backwaters, tributaries, other animals, plants, noise, proximity to lodging, night-lights), what it effects, and so on, and build the plan from that essential picture and platform.

FoYV has suggested to the River Plan planning team that they put a large sign up over the table at which they meet stating, "IT'S THE ORVs".

### 3) SCOPE OF SCOPING AND INTERRELATIONSHIP OF USER CAPACITY TO "ZONING" AND OTHER MANAGEMENT ELEMENTS:

NPS is improperly attempting to limit the scope of scoping comments by stating in their scoping period announcements that they will not revisit River Plan management elements other than user capacity and El Portal District boundaries.

\* The National Park Service's (NPS) determination on user capacity and boundaries in El Portal cannot be made in isolation and then simply inserted into the old Merced River Plan. Rather, decisions about capacity and boundaries must be integrated into a new or revised CMP and considered in combination with other management elements, which may need to be revised, or revisited to meet the Park Service's duty to protect and enhance ORVs. For example, the amount of use an area can sustain is linked to how the resource is to be used.

\* The Appeals Court ruled, "While we remanded to the district court to enter an appropriate order requiring the [National Park Service] to remedy these deficiencies [user capacity and El Portal area boundaries] in the CMP [Merced River Plan] in a timely manner,' *id.* At 803, we did not 'otherwise uphold the [CMP].'"

\* Scoping is supposed to be taking a fresh look. We invite NPS to join together with the concerned public to use this opportunity to cut through the veil of bureaucracy and NPS management's current view of visitors as "customers," and instead forge this plan around real protection for the Merced River's Values. Rather than continuing to be driven by predetermined Yosemite Valley Plan development projects and inappropriate goals -- such as bringing the amenities and experiences of suburbia and resorts to Yosemite and the visitor experience, focus on the purpose of the Wild and Scenic River Act to truly protect Yosemite's Merced River.

\* Rethinking the River Protection Overlay; the invalid plan's "zoning program;" and the Section 7 determination process, as presented in the old Merced River Plan, is critical to upholding a protective user capacity. Other management methods than the two former, would be more appropriate and protective.

\* The so-called "River Protection Overlay" does not protect the River despite its Orwellian name. It allows for roads, building, maintenance and storage areas (such as in Wawona at the South Fork of the Merced) under the rubric of Administrative uses. We need to remind the NPS that the full quarter mile of the River Wild and Scenic corridor is supposed to be protected. We need to remind the NPS that the ORVs outside the WSR corridor, as stated also by NPS in legal briefs, also need to be protected.

\* The "Zoning" management tool needs to be thrown out. It is not based on the River's ORVs and it is not protective of the ORVs. If the revised River Plan still contains the zoning management element, it

will not be based on the ORVs and the plan will once again not be a protective plan. The Merced River, and its ORVs, is a national treasure, not a grid on a planning use map for a city.

\* The Merced River Plan should not be used (again) as a tool to allow development plans.

\* **The 500 pound gorilla --- the Yosemite Valley Plan.** The head of the MRP revision planning team indicated that as part of preparation for the revision of the MRP, the planning team re-read the Yosemite Valley Plan and consider it in the planning process. When a member of FoYV questioned this, it was indicated that this did not seem to be a problem. We feel it is a major problem to producing a protective River Plan. The ORVs need to come first. They need to be what forms the River Plan. The Yosemite Valley Plan and its myriad of development projects, lurking on the sidelines, should not be determining what happens in the MRP. The short term goals of previous and current administrators of Yosemite National Park to get the Yosemite Valley Plan implemented need to be set aside by the Merced River Planning Team. We trust that in your hearts and in the heart of the current Superintendent you all want to truly protect the Merced River. You can turn your back on the 500 pound gorilla, you all have the strength to do so. We are confident that you want to leave a real legacy to your children and grandchildren, that you know that public relations rhetoric is not a valued and true legacy for future generations. You will be backed up by us, by the American public who truly wants its treasure protected, by the legacy of John Muir and David Brower -- the legacy to work to truly protect and preserve. The Planning Team needs to and can rise above this pressure and do its real job -- to protect and enhance the ORVs of the Merced River.

\* **Determination of user capacity** must be built around specific defined conditions of each of the River's values as a baseline beyond which no value can be allowed to be degraded, and must be protected and enhanced. The River plan should show specifically for each river value how, where, and by what means each value (ORV) will be protected and enhanced.

\* We, the public, need to know, and have the right to know, about the condition of each River value so, as a concerned members of the public, we can take an active role in monitoring and protecting these public values. This should be in and a part of the revised MRP.

**4) EQUITY, CAMPING, "RESTORATION":** In 1997, the National Park Service closed the Rivers and other campgrounds. This removed 40% of the camping in Yosemite Valley. At the same, NPS began planning a \$441,000,000 construction/pavement/development project which came to be called the Yosemite Valley Plan and included new motel buildings for Yosemite Valley. Meanwhile since 1997 more lodging has continued to be built in the Yosemite gateway communities. With this increase in nearby lodging, there is no valid reason to build new upscale lodging units in Yosemite Valley -- but that is what NPS intends, and at taxpayer expense -- in essence and reality subsidizing the private for-profit monopoly Yosemite concession with our money. (Although in the YVP, NPS defines certain lodging units they intend to build as "economy" and others as, "rustic" those descriptions do not realistically reflect that they will be higher-end, whatever their configuration, and their cost will be out of range of the average family.)

The NPS claims that is it going to "restore" the areas where it removed the campgrounds in 1997. It is not clear what the NPS plan will actually be (which should not be on the table now in any case and was not allowed to go forward by the Court until a revised valid River Plan is finished). The restoration they claim

is in an area, in the invalid River Plan, designated as a high-use area they zone as "Day-Use". What is sure is that the public never had the opportunity to comment on this removal of 40% of the camping in Yosemite Valley. The revised River Plan should have an alternative that restores these 40% of camping spots removed, but not in new areas. Moving impacts into new areas is not protecting ORVs or the ecosystem. Perhaps it is some of the Lodge buildings that should be removed. Camping could be considered to be put there for example.

So this claimed "restoration" would be on the back of Yosemite Valley campers, while unnecessary upscale resort hotels are built in Yosemite Valley. This former camping area is the main "restoration" (6% of the \$441,000.00 plan) part of the Yosemite Valley Plan. Almost all of the rest of the Yosemite Valley Plan (see the YVP) is for development, construction, concession amenities, employee housing to house the additional employees needed to support this additional infrastructure and level of services (changing motel room sheets, ice cream parlors, etc). And the Valley Plan makes clear (although the NPS press releases and public materials give the opposite impression) that the \$441,000,000 plan will bring more miles of asphalt both in Yosemite Valley and in the rest of Yosemite Park. Pretty sad. However, if the River plan is a truly protective plan, this would not happen under it. This is the litmus test of the revised River Plan that NPS will put out.

Camping in Yosemite Valley directly connects visitors with the natural values for which Yosemite was saved. An upscale resort style hotel can be built anywhere and is not an appropriate use of a national treasure. Camping allows lower income and other families to enjoy Yosemite's spectacular natural values on their own terms. It allows families to bring in their own supplies, their food, their bicycles, their rafts, their children's strollers, etc. They are not dependent on the concessionaire.

The average family is being more and more shut out of Yosemite as Yosemite becomes more and more of a resort/Disney style destination. This is how not only the concessionaire, but also the NPS markets Yosemite. This is not equitable. Camping is also an important opportunity for social interaction in Yosemite which builds democracy. Lodging separates people both physically from social interactions and stratifies them economically.

**5) THE MARKETING OF YOSEMITE AND USER CAPACITY:** While the National park Service has eliminated any user capacity numbers for Yosemite, it markets Yosemite as a part of quickie all-in-one-day tour packages -- actively enticing more people to tour and impact the Park's natural values. The Park Service then claims that it has to accommodate these tourists with ever increasing amounts of, and increasingly upscaled types of accommodations.

Usually people on such tour packages spend a mere few hours in Yosemite, while leaving many dollars in the concessionaires pockets and a large impact on Yosemite's resources. Rather than taking home a priceless in-depth experience of Yosemite's natural values, they rush from spot to spot to take quick photos, purchase souvenirs, and eat. Rather than Yosemite leaving a lasting impact on them, their impact leaves a lasting impression on Yosemite.

See for example the National Park Service Press Release: "Yosemite National Park Employees Attend Travel Expo [in China] to Promote Tourism to National Parks".

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[http://www.yosemitevalley.org/HTML/Articles/2002\\_07\\_01.html](http://www.yosemitevalley.org/HTML/Articles/2002_07_01.html) (Attachment #2)

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Now that the Court has ordered NPS to adequately address user capacities, how will this mesh with the concession and the NPS marketing of Yosemite? The Yosemite Valley Plan says it will accommodate the tourists as they come by building ever increasing outlying parking lots, bus systems, and a 22 bay urban style bus depot in Yosemite Valley with buses arriving in peak season every 1.4 minutes (see YVP -- yes, it's in there).

Look at the Lower Yosemite Fall project (if you can stand it). It controls tourist pedestrian traffic through a maze of split rail fencing and obtrusive stone walls. Do not deal with impacts by putting up more fences, instead the concessionaire and the National Park Service should stop marketing Yosemite as part of intensive tour packages and stop working to grow the numbers of tourists (dollars). Is this the kind of Yosemite experience you want? Separated from nature? Directed around by fencing?

Most people stay on the trails. The occasional family group or group of friends that ventures off a trail, does not degrade the values, but the NPS degrades the values through their massive construction/destruction projects. The El Portal Road widening, the unnatural grading throughout the 56 acres braided alluvial braided stream area from the ongoing Lower Fall project with the overbuilt bridges with 20' footings (inappropriate according to the NPS hydrologist in the Freedom of Information Request info we have) which will prevent natural processes (degrading the hydrologic ORV), the overbuilt bus stop in one of the most scenic areas in the world (degrading the scenic ORV), the overbuilt bathroom edifice built on top of archeologic sites (degrading the archeologic ORV) and a monument to disrespect, and on and on.

6) VALLEY PLAN PROJECTS already have been planned by the NPS based on a River Plan determined by the court to be invalid. Those projects include a myriad of interrelated plans and projects in the Yosemite Valley Plan. These plans and projects and the Yosemite Valley Plan, including plans and projects throughout the Wild and Scenic River corridor, need to be revisited and based on a valid/protective revised CMP/SEIS.

For Example:

\* **Curry Employee Dorms and Rockfall Danger:** Construction for sleeping quarters for these "lower level" employees is scheduled to begin soon. However, less than a year ago and a mere 300' from this construction area, a dangerous rockfall occurred in which rocks and boulders fell through roofs and damaged 10 inhabited duplex cabins at Curry Village, in which at least one person was almost hit. (Documented in an NPS categorical exclusion for repairs. See Attachment #2.) Perhaps the NPS planners and administrators who signed off on this plan should sleep on the top floor of these dorms? At minimum and certainly before any construction and any more planning resources are put into this project, the Valley Wall above this area needs to be thoroughly studied for rockfall potential; and the 27 planned employee dormitory buildings' area be studied for potential bounce zone.

An NPS official told a FoYV representative at one of the recent scoping meetings that NPS was surprised by the ricochet effect that took place in the Dec. '03 rockfall referred to in the previous paragraph. Does NPS really intend to let employees' be potentially surprised by this ricochet effect when they are

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sleeping?

\* Before any more development is planned or construction commenced in Yosemite Valley, a rockfall/bounce zone/ blow down map of at least the Eastern portion of Yosemite Valley needs to be completed and incorporated into the River Plan for the public to see. Perhaps the construction of the amphitheater at Glacier Point with its attendant dynamite blasting has loosened the Valley Wall in that area? Perhaps the leach field and sewage leakage problems at the Glacier Point bathrooms have loosened the Valley Wall in that area? A geologist proposed to the National Park Service to put blue dye into the Glacier Point toilets to see where the sewage water was flowing, the NPS refused to let him do that study.

\* The Curry Employee Dorm project area is also an important area which climbers use for bouldering, the "Root Canal" boulder is in that area. Yet NPS will destroy that opportunity if the Employee Dorms are built there. That area was undisturbed until NPS did a preemptive logging, well before any construction was scheduled to begin. The April '04 court injunction stopping tree cutting was too late for many of the trees logged to make way for the dorm construction.

\* The Yosemite Lodge Plan calls for new lodges in the River Corridor and plans to bulldoze and cut a new road adjacent to the River, rather than use the existing road which is away from the River. This project would degrade and destroy River ORVs. For example, it is now an easily accessible opportunity to enjoy a quiet walk along the river enjoying grazing deer and squawking Stellar's Jays, to contemplate the River's oxbow and meander and enjoy the water plants in the River's special backwater in that area as well as wonderful solemn views of Sentinel Peak. A road with buses driving through it would destroy that area and that experience. If this project, as one Yosemite Valley Plan project example, which will be destructive of many ORVs, were to be able to move forward under a revised River Plan, that will demonstrate that the revised River Plan is not be a protective plan, that River Plan will not conform with the goals and mandates of the WSRA to protect and enhance ORVs. That would be a sad outcome of this new round of planning processes.

\* The closures of the Upper and Lower Rivers and Group Campgrounds by NPS in 1997 was never put out for public comment. This area was subsequently "zoned" for "Day Use" in the invalid River Plan; thereby eliminating 40% of the camping in Yosemite Valley. NPS now improperly argues that it is already "zoned" for "Day Use". As a part of the Draft CMP/SEIS, the public should at last have the opportunity to consider and comment on the use of this area in at least one valid alternative.

\* Curry Village and East Yosemite Valley Campgrounds Improvement Project calls for more upscale lodging requiring more infrastructure and more employees (an additional 405 Park-wide). Who, in turn, require more infrastructure -- all this when more and more lodging since 1997, and almost each year since, has already been and is being built in the gateway communities outside the Park -- violating Park Service Management Policies. (In this past year, eg, many additional lodging units were built right outside the Yosemite Park boundary at the Yosemite View Lodge) The Plan calls for destroying undisturbed areas to replace a minute number of the more than 300 camping spaces closed by NPS in 1997. Instead of building new expensive resort-style hotel lodging in the Park (more profits for the concessionaire), relocate the 40% of Yosemite Valley campgrounds closed by NPS in 1997, into those "lodging" areas, changing them into camping areas. (Protective of the ORVs of the Merced and beneficial to public values and our right to experience the natural values of the River.)

"The Councils choice of alternative is Alternative I (No Action Alternative). Alternatives 2 and 3 of this project will have significant impacts to the cultural resources in the east valley area. The archeological sites, gathering sites and the village sites in this area will be disturbed forever. The Councils position on all major projects is no action." (Tribal Association, Mariposa, CA - #41) pp. E.2-12, E.2-13, Curry Village and East Yosemite Valley Campgrounds Improvement Project.

\* "The Utility Improvement Plan will be the most destructive Project in Yosemite since the 1997 High Water Flood and it is the responsibility of all who love Yosemite to minimize the ground disturbance and rethink where the utilities should be placed without disturbing virgin soil and riparian zones." (Tribal Organization, Mariposa, CA, Comment #7-3) p. E2-14, East Yosemite Valley Utilities Improvement Plan Environmental Assessment. Will the NPS finally listen to this wisdom?

\* The El Portal Area Wild and Scenic River Corridor is more important biologically than understood years ago. In addition, some River values still remain in El Portal which have been degraded or lost elsewhere along the River. These need to be protected, and many still need to be identified. eg, there is National Park land that is probably a pristine riverine area on the boarder of the Yosemite View Lodge, it is certainly currently undisturbed and contains a wetland area (we explored the area). (This area was shockingly almost traded off by the National Park Service in the last few years. Who knows what wildlife use this area?)

\* The El Portal Road Segment from Pohono Bridge to the 120/140 Highway split, (known also as, "Segment D"), saved from being destructively widened in 1999 by the Court. The River Plan must protect this area's ORVs. The only way to do that is to NOT WIDEN THE ROAD. The geologic and scientific ORV in which the "U" shaped Yosemite Valley turns into the "V" shaped Yosemite Gorge is the area with the granite wall which forms this ORV. If the road were to be widened, either that ORV would be degraded or destroyed, or the road would illegally and destructively encroach into the Merced River, and also destroy rare old Canyon Live Oaks growing along the River side of the Road. Either way, widening the road would not be protective, and in fact would be destructive.

\* The Merced River Plan should not be used again as a tool to allow development plans.

7) AMEND CONCESSION SERVICES PLAN: The Concession Services Plan (CSP) was put into place 5 years after the Merced was designated a Wild and Scenic River. However, at that time, 1992, there was no valid legally mandated Comprehensive Plan for the Merced River. Therefore, the Concession Service Plan, along with the General Management Plan which it amended, needs to be changed to specifically ensure protection and enhancement of the ORVs of the Merced River.

In addition, the CSP will be up for renewal and change in 2007. The River Plan is a 20 year plan. NPS should not lock in the current concession plan with its myriad of concession opportunities and amenities in this River Plan. That would be an unbelievably huge mistake. However, that is precisely what the zoning in the illegal plan does. This needs to be changed.

For Example:

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- \* The number of hotel units and concession eating areas may need to be reduced.
- \* The Merced High Sierra Camp, which is in designated wilderness, may need to be replaced with a lower impact campground due to various impacts such as the ongoing serious bacterial water contamination in the Merced River (see nps document) from horse and stock feces.
- \* The concessionaire rafting (as opposed to families/individuals bringing their own raft) may need to be discontinued due to the high impact of multiple rafts entering the river at the same point and the impact of concession diesel trucks picking up the rafts in places that would otherwise be a quiet experience, such as Sentinel Beach.

8) A FULL RANGE OF ALTERNATIVES must be presented to the public which REVISE the River Plan IN COMPLIANCE WITH THE ORDER FROM THE COURT TO PROTECT AND ENHANCE THE MERCED RIVER'S OUTSTANDINGLY REMARKABLE VALUES with user capacity based on that mandated protection and with the boundaries of the El Portal Administrative District drawn to protect ORVs not merely drawn proforma, or drawn to allow predetermined developments, such as "Abbeville". We ask that these all be viable protective alternatives so the public has the opportunity to consider various valid options.

9) ALL SCOPING COMMENTS SHOULD BE AVAILABLE TO THE PUBLIC by OCT 10, 04. Put out a CD containing all the public scoping comments as written (not excerpts) so the public can know what others are concerned about and what ideas people put forward. We want this to be a public dialogue not a one-way street. Post the availability of this CD on the NPS Yosemite Planning web site.

10) ACCOUNTABILITY -- OR LACK THEREOF: So where is the accountability for the numerous plans deemed illegal in the courts? Where is the accountability for the excessive use of resources for all the over planning and over constructing that has been done and is being planned to be done in Yosemite? Where is the accountability for the close to \$100,000,000 spent by NPS since 1997 (or what is the figure?, the public would like to know how much and exactly where it was spent?) The next time NPS builds yet another building in Yosemite, it could be built by using those truck loads of trees logged by NPS in Yosemite and by and stacking the tons of planning documents generated since 1997 for the walls and structure, we would not even want to try to list those documents.

What is the purpose of having NPS officials sign off on the Record of Decisions of planning documents? We assumed it was an attempt to hold someone accountable. But we have seen no one held accountable. The more illegal and overbuild/overblown plans and projects, the higher in rank NPS planners, managers, and administrators seem to rise.

It is a serious concern that the same head of planning for the River Plan that was not protective and was declared illegal in the court, is now the head of the planning for the revised plan. A fresh look at the planning process and the management tools is needed to create a protective plan with management tools that are not made to implement Yosemite Valley Plan projects, but are made to focus on Merced River ORVs and their protection. Will that happen?

11). General Categories of the Outstandingly Remarkable Values of the Merced River in



**Yosemite** -- 81 miles including the Main Stem which runs from the high Sierra through Yosemite Valley, down the Merced River Gorge, and through the El Portal Administrative District; and the South Fork which runs from the high Sierra in Yosemite, and out through Wawona.

**The ORVs:** biologic, scenic, geologic, scientific, cultural/archeologic, recreation, hydrologic processes. The National Park Service has stated that by being more general in their descriptions of the ORVs they can better protect the ORVs. On the contrary, in the River Plan, NPS needs to be transparent and specific in their description and discussion of the ORVs, their locations, interactions with other animals, plants, processes, etc. The public should understand the specifics of the ORVs in order to be able to help watch and follow and participate in working towards and monitoring their protection and enhancement (Except of course archeologic sites. Although, it is the NPS itself that is creating vast amounts of disturbance and degradation of archeologic sites through their construction projects).

Cultural ORVs are properly those such as current ongoing Native American Gathering areas based on traditional indigenous Native American values; not every recreational activity developed in Yosemite since its inception as a National Park, nor all structures or amenities developed for visitor recreation over time.

The current data and surveys of ORVs should be a part of the River Plan, and as data is collected, it should be put up on the NPS web site. The public that loves Yosemite and appreciates the Park's special values, can be the eyes and ears that are most helpful in the Park's and ORVs' monitoring and protection. The many knowledgeable members of the public will watch and make known if an ORV is not being protected. Wouldn't the NPS want this help?

**12) AUTHENTIC/HISTORIC versus FAKE and DISNEYLAND style simulated "historic".** One of the most important historic structures in Yosemite to some members of FoYV, was the historic rock wall which was built as a double public good: 1. for society to contribute to out-of-work people in the depression by employing them through the CCC to build the rock wall along the El Portal Road in Yosemite, and 2. for those workers to contribute to society by building a rock wall which would make traveling the El Portal Road safer for visitors and built in the way of master stone masons. The NPS bashed this important historic wall to smithereens ..... and almost completely destroyed this important and irreplaceable ORV, leaving merely a small, remnant to make us mourn its loss even more.

**13) VERP:** "VERP does not address capacity. It is legally and conceptually insufficient. It is a smoke screen for dealing with user capacity." Glenn Haas, user capacity expert, Sept. 9, 2004, asked us to include this quote from him in the FoYV/MERG comments. This pretty much says it about VERP (as we refer to it, "Very Elusive Resource Protection.").

**14) CUMULATIVE IMPACTS:** There have been multiple cumulative impacts on ORVs from multiple recent Yosemite National Park projects and planned additional projects with additional cumulative impacts. For example, cumulative impacts from the El Portal Rd widening project which violated the WSRA in multiple ways including putting rip rap into the Merced River, bashing down bat roosting trees, destroying habitat for multiple creatures, destruction of most of the threatened Tompkins Sedge along the 4 mile project area, opening multiple disturbed areas for the invasive yellow star thistle to have a corridor to invade Yosemite Valley, etc.

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Since hardly any impact from any project that NPS has designed and signed off on for Yosemite has any impacts determined other than, "No Significant Impact"; How many, "No Significant Impacts" make up a cumulative impact? We ask NPS to answer this question specifically for all and every part of the revised CMP, how each management elements relates to this, and how specifically user capacity relates to this issue and to each and all specific ORVs in every River segment and area. We ask NPS to answer this question specifically for all and every part of each plan and project in the Yosemite Valley Plan which is reliant upon or tiered to the Merced River Plan.

Thank you,

for Friends of Yosemite Valley  
Vice-Chair MERG

Attachments mailed to YNP, PO Box 577 on Sept. 10, 2004, to be included as a part of our scoping comments:

1) Rockfall Categorical Exclusion,  
p. 1-6, <[http://www.nps.gov/yose/planning/documents/catex/2004/2004\\_052.pdf](http://www.nps.gov/yose/planning/documents/catex/2004/2004_052.pdf)>[http://www.nps.gov/yose/planning/documents/catex/2004/2004\\_052.pdf](http://www.nps.gov/yose/planning/documents/catex/2004/2004_052.pdf)

2) Yosemite National Park News Release, July 1, 2002, "Yosemite National Park Employees Attend Travel Expo to Promote Tourism to National Parks

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Oakhurst, CA  
September 10, 2004

Yosemite Superintendent/River Plan  
PO Box 577  
Yosemite, CA 95389  
Via Telefax: 209 379 1294

Dear Sir:

I am writing today to provide input on the reopened Merced River Plan. I am a regular visitor to YNP for hiking, overnight camping and rock climbing.

The Merced has been designated "Wild and Scenic". My understanding of this plan is that a river is designated Wild and Scenic based on specific outstanding values which are known as the "outstandingly remarkable values" (ORVs) of the River. The Wild and Scenic Rivers Act (WSRA) requires protection and enhancement of these identified values of the River for which it was designated Wild and Scenic. It does NOT allow for uses that degrade the ORVs.

The Merced River Plan must be based on protecting and enhancing the ORVs of the Merced River. Not only Protect, but Enhance! If this plan once again fails to truly protect the River's values, the plan will again be a failure. Please start the planning process by identifying where each of the ORVs occurs - not merely where an animal nests, but its range and the plants, animals, river processes and so on upon which it relies and with which it interacts.

I'm very concerned about the scoping limits that NPS is trying to place on the River Plan. The Appeals Court ruled "While we remanded to 'the district court to enter an appropriate order requiring the [National Park Service] to remedy these deficiencies [user capacity and El Portal area boundaries] in the CMP [Merced River Plan] in a timely manner,' id. At 803, we did not 'otherwise uphold the [CMP].'" Scoping is supposed to be taking a fresh look. The NPS should not continue to be driven by the predetermined Yosemite Valley Plan and its development projects.

These development projects are counter to the goals of increased contact of the public with the wilderness experience. Instead, they are driving the development of an upscale, expensive, exclusionary, suburban experience, but putting people in upscale resort hotels, rather than providing visitors with the opportunity to connect directly with the natural values for which Yosemite was saved.

We need more campgrounds, not more asphalt, and not more revenue opportunities for the concessionaire.

I could go on, but in the interest of your time, I will not. I will, however, request that you make all scoping comments available to the public by October 10, 2004 - publish a CD-ROM containing all the public comments as written, not excerpted, so the public can know what others are concerned about.

Thank you for your attention.

Sincerely,

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# Facsimile Cover Sheet

**To:** National Park Service: Planning  
**Company:** New Merced River Plan Scoping  
**Phone:**  
**Fax:** 209-379-1294

**From:**  
Yosemite Valley Campers Coalition

**Phone:**  
**Fax:**

**Date:** September 10, 2004

**Pages including this cover**  
**page:** 4

**Comments:**

Please find our scoping comments for the New Merced River Plan.  
An acknowledgement of your receipt would be appreciated.

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YOSEMITE VALLEY CAMPERS COALITION

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COMMENTS IN SUPPORT OF THE NEW AND IMPROVED MERCED RIVER PLAN(MRP)

The 9<sup>th</sup> Circuit Appeals Court ruled that the MRP was invalid. Specific problem areas requiring more attention were 1) user capacity, and 2) boundaries at El Portal. Though the Court remanded the Plan back to the District Court to remedy the deficiencies, they made it clear that "they did not otherwise uphold the CMP." Thus, a "revision" is a gross misrepresentation of reality by the NPS in an attempt to continue its commercialization of Yosemite Valley at the expense of historical and traditional campground areas in the valley and camping sites in the Valley.

The new and improved MRP must truly put not only the protection of the river corridor FIRST, but also protection of the natural resources Valley-wide. And we Campers do just that. And, please do not use the actions of a few bad/inexperienced campers and/or lack of NPS supervision to negate the proper stewardship of Yosemite Valley's resources. We have come along way, NPS and Campers, from the 1960's; that "out of control" time in history is behind us and Campers should not be shackled with that history nor pay an extra price for that time.

Any adverse impacts that campers may have on the Merced River are restored in the nine (9) non-camping months. The fact that campers are self-contained, in and of themselves, greatly eliminates all of the following activities that result in resource destruction:

- Clear cutting to make way for hard-sided lodging
- Clear cutting to widen and create new roads
- Blacktopping widened and new roads and parking lots
- More vendors in and out of the Valley to provide goods and services to support upscale hard sided lodging, restaurants and to maintain facilities
- More employees in and out of the Valley to provide goods and services to support facilities, their guests
- More housing and support facilities for employees
- More parking for employees
- Rafting concessions, which point load the river banks (campers bring their own, are dispersed, and are irregular users

Other critical camping issues include, but are not limited to:

- Re-open ALL campgrounds closed after the '97 Flood, restore the original historical campsites, including "Group Campground" on Tenaya Creek as it will disperse impacts on the environment while preventing the "compression" of campers
- Curtail all specific amenities for RV's; implement length limitation to 23 feet
- Make and maintain campsites and adjoining facilities such as hose bibs, drinking fountains, restrooms ADA compliant
- River Floating: From the standpoint of visitor experience, reference is made to the NPS 1980 General Management Plan (GMP) paragraphs (s) on Page 22 defining the visitor experience. "Park Experience--Enjoying the special attributes of Yosemite. The human need for physical and mental activities congruent with the park's primary purpose--activities that can be

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appropriately enjoyed at Yosemite; programs for doing, thinking, dreaming, and being in relationship to Yosemite's resources."

"Provide only for those types and levels of programs and activities that enhance visitor understanding and enjoyment of park resources...The visitor experience will consist of opportunities for educational and park-related recreational pursuits such as walking and hiking, backpacking, and Merced River floating."

Both of these paragraphs remind tens of thousands of campers of what we feel at Yosemite. However, the NPS has allowed the concessionaire to co-opt those activities and commercialize/mass produce them for profit. By commercializing and mass-producing (as in rentals), the NPS has destroyed the very qualities (thinking, dreaming, and being in relationship to Yosemite's resources) that made them special in the first place. By Campers bringing our own tube or raft and floating down the Merced, we are enjoying one of the lowest impact ways to experience Yosemite Valley in Summer. Often, we enjoy this activity as one floater in one floatation device versus the concession multiple use rafter that cycles in mass both in and out of the riverbanks. The NPS just looks the other way at the daily mass concession floating events that have caused the problems. Our stand, let people bring their own equipment; they will self-select their participation based on whether they want to go through the hassle. There is no need for a rental facility, a place for hundreds of rentals to enter the river--all at the same location, a pick up location with a big diesel bus and box truck, etc.

The greatest enjoyable, tranquil, breathtaking, scenic view of the Valley is absorbed while floating down the Merced River, no question about it!

Other critical issues:

- All Park bathrooms ADA compliant
- Provide a detailed accounting of public funds (specific income sources (including the "Gate Surcharge," and expenditure cost centers (including where the Gate Surcharges have been spent) to justify and ensure proper oversight of tax revenues
- Eliminate diesel buses, equipment, trash trucks, and maintenance vehicles in the Valley
- Upgrade and maintain facilities for campers such as more water hose bibs in campgrounds with waste water drains to sanitary sewer, cold water showers at restrooms with waste water drains to sanitary sewer, scrub and sanitize the restroom floors, concrete pave around the restrooms for trip/risk reduction as well as ADA compliance, hooks and shelves in the restrooms in a user friendly manner, etc.
- Bridges and Campsites qualify for and need to become National Historical Register Landmarks
- Concession profits need to be secondary to resource protection
- Historically and currently, Campers are disenfranchised and ignored. Direct notification for any planning events, dating back to the 1980 GMP (General Management Plan), although practical and feasible, have never been done
- Re-visit the entire issue of Land Use Zoning in light of the ORV's, Carrying Capacity, and Land Use Management in the context of Yosemite Valley
- Scoping locations have been narrowly selected; they should have included: San Diego, Orange County, Los Angeles, San Joaquin Valley, Sacramento, and other areas
- *"In 1993, Delaware North landed a 15-year contract to manage food and lodging at America's oldest national park. The government and Delaware North negotiated a deal that gives the*

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YOSEMITE NATIONAL PARK

concessionaire a little more freedom in the park in exchange for a higher percentage of revenue being returned to the park. Under the new contract as much as 20 percent of revenue Delaware North derives will go to the government. However, much of that money will be funneled directly back to the park to improve facilities. "We see this as a win-win situation," Jacobs says. "It is an opportunity for us to 'exploit' the natural assets of the park in a way that actually complements the park, instead of harming it." ("Jeremy M. Jacobs: Delaware North's Intrepid Captain Loves 'The Thrill of the Deal'", by Paul King, Nation's Restaurant News, January 27, 1997.)

- "Yosemite should be a nature center, not a profit center." (Environmental icon, David Brower)

At the Subcommittee Hearing held in the Park on April 20, 2003, Paul Minault of The Access Fund, provided an excellent analysis on the value of camping as a resource-focused activity:

*National Park Service management policy is to "encourage visitor activities that foster an Understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources."*

*Management Policy 2001-8.2 Visitor Use (emphasis added). In our comments to the Valley Plan, we listed the ways in which camping enhances the visitor experience, furthers park values, and promotes the enjoyment of Yosemite National Park through a direct association with park resources.*

- ° *First, we pointed out that camping is a form of recreation, unlike lodging in developed accommodations, which is a form of leisure.*

- ° *Second, camping promotes a closer relationship to park resources than any other form of overnight accommodation.*

- ° *Third, camping distances the visitor from the commercial values of comfort and convenience and the expression of social status through consumption that pervade American society. Camping brings the visitor closer to nature, the simple necessities of daily life, and the way People lived in the past.*

- ° *Fourth, camping is democratic. In campgrounds, social distinctions account for little, and camping has the potential to bring people together in shared appreciation of their natural surroundings in a manner that reduces social barriers. Unfortunately, the lodging picture in Yosemite preserves the social distinctions of the greater society, rather than leveling them, which we believe should be a goal of the parks.*

- ° *Fifth, camping is inherently communal. Campers have an enhanced opportunity to associate with other people, develop new relationships, and broaden their social horizons. Unfortunately, the Valley Plan largely ignored these values, with the result that camping suffered the loss of 300 campsites in the Valley. Instead, the park now emphasizes exclusive and expensive lodging over traditional camping accommodations that are more in line with NPS management policies.*

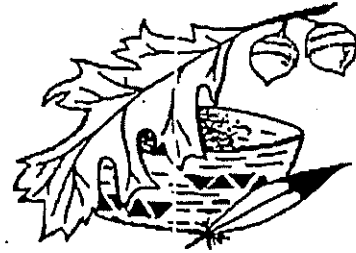
We feel the most critical issue at this juncture is to open scoping to reflect the 9<sup>th</sup> Circuit Court of Appeals interpretation and then bring in all the stakeholders into the planning, decision-making, implementing, and ongoing monitoring of the NEW and IMPROVED Merced River Plan. Yosemite Valley Campers Coalition awaits an invitation.

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## facsimile transmittal

To: Michael Tollefson Fax: 209-379-1294  
From: \_\_\_\_\_ Date: 9-10-04  
Re: Revised Merced River Plan Pages: 5 w/ face sheet  
cc: 1 SEIS

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

## Notes:

will send the copy of original  
signatures by mail.





# American Indian Council of Mariposa County

P. O. BOX 1200 • MARIPOSA, CALIFORNIA 95338

Chairman  
William H. Leonard  
Vice Chairman  
Anthony C. Brochini  
Secretary  
Vacant  
Treasurer  
Lynn Crater  
Director at Large  
Randy Salles

September 8, 2004

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RMR-5-92  
YOSEMITE NATIONAL PARK

Yosemite National Park  
Michael Tollefson, Superintendent  
PO Box 577  
Yosemite, CA 95389

Dear Superintendent Tollefson:

All Native California tribes who recognize Yosemite as traditional homeland have prepared the following statements for the United States government. We do not want any development in Yosemite that adversely affects our heritage and homeland, as we explain below. We call on the federal government to listen and address our concerns to continue our stewardship of Yosemite. We are the "first" natural environmentalists, who, for more than 8,000 years, sustained the physical environment of our culture.

The native people of the Yosemite region have been asked to provide background information in the scoping for the Merced Wild and Scenic River Supplemental Environmental Impact Statement (SEIS). We understand that the approval of the SEIS will, in turn, authorize the approval and implementation of other plans, especially the Yosemite Valley Implementation Plan.

We are concerned that previous National Park Service environmental documents have not adequately addressed the increased cumulative impacts to native sites and traditional use areas. The Yosemite Valley itself is a huge cultural landscape that has been perpetuated by thousands of years of ecological involvement by Yosemite early people. This landscape is rapidly disappearing due to park mismanagement.

The present wildlife program for bears is not satisfactory. To the Yosemite Indian people the bears are in our traditions and beliefs. The bears, and mountain lions do not have a chance for survival due to their increased human contact.

Respect for plants, animals, air and water, and will bring a high degree of value in decisions that affect us and future generations.

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YOSEMITE NATIONAL PARK

The Tribes are being asked to contribute comments on what ultimately will destroy more cultural sites and traditional heritage. And now, with this environmental process, we are being asked to contribute to the future destruction as well. We strongly request the "No Action Alternative" to be seriously considered and discussed in these environmental documents. We will collaborate with the National Park Service to minimize the destruction of Yosemite Valley.

### Traditional Land Use

Cited below are the impacts and affects on our traditional and continued use by associated tribes who utilize the Yosemite Valley for gathering acorn, materials, medicines, trading, and traditional food preparation.

Ceremonies were held for the changing of seasons and are still practiced today. All these vital issues affect our right to practice our religion and ceremonies as we have actively done for thousands of years. Overall, the quality of these traditional uses are being compromised daily by the lack of water and the impact of visitors.

Tribes have attached names and stories to special geologic and other features on the Merced River corridor. Many of these are sacred or spiritual and should not be mitigated. Once these are gone they are gone forever.

#### 1. Continued Use

- a. Gathering – foods, traditional basket materials/medicine/implements
- b. Controlled burns – keep undergrowth down, keep quality material growing, retain meadows.
- c. Cultivation and care taking of materials.

#### 2. Traditional Gathering Sites (entire valley floor)

- a. Affects – trampling all traditional sites, medicines, basket material, burial sites
- b. Village – public impacts, uncovering, trampling, trashing, vandalism.

#### 3. Ceremonial/Sacred sites

- a. Public destruction, lack of respect
- b. Continuation of traditional ceremonies
- c. Preservation of cultural sites.

#### 4. Bedrock Mortar

- a. Vandalism and defacing, destruction, removal, theft, graffiti

### Water

Water is the lifeline for all living things! At present time the user capacity has been exceeded. Human consumption of water needs to be limited in order to maintain a balanced ecosystem in the Valley.

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YOSEMITE NATIONAL PARK

Groundwater wells are the main source of water in Yosemite Valley and dependent on yearly snowfall. The continued depletion of groundwater affects the quantity and quality of water that also affects the plants, trees, wildlife and aquatic life. The gathering areas are endangered, or are producing a low yield of poor quality materials.

Pollution Issues

Since 1851, it has been a privilege for anyone able to make the journey to visit Yosemite Valley. Air, noise and all other human-caused pollution diminishes every visitor's experience. Pollution negatively affects human, wildlife and environmental health. Plans have been proposed to reduce private vehicle traffic in the Valley. Yet, now access may increase? Are decisions being made in the interest of preserving the Park's beauty or is access only enhancing environmental destruction? All forms of pollution lead to decreased respect for the land and will lead to the loss of a very special and unique place.

Sincerely,

Chairman

Enclosure : Signature page

cc: Pat Parker, Chief Ethnographer  
Dept of Interior  
Congressman, George Radanovich  
Sen. Barbara Boxer  
Sen. Dianne Feinstein

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Pahoa, Hawaii  
September 10, 2004

Yosemite National Park Superintendent  
P.O. Box 577  
Yosemite, CA 95389

RE: Revised Merced River Plan / SEIS

To Superintendent Tolson, Yosemite Planners, and the National Park Service

As I began to write this I happened to glance at a National Geographic Society book laying on my bed beside your letter and documents - Forgotten Edens. No, Yosemite is not in it but I thought of Yosemite Valley then, and how it is like an Eden with its beautiful "River of Mercy" flowing through, and its pine trees and waterfalls, live oaks and azaleas, dogwoods, currant bushes, ferns and flowers. How I wish I could be there right now! How I love Yosemite! How I wish it had been nearly forgotten, or else truly protected and preserved. On April 17, 1868 Helen Clark, Yosemite's first Guardian, wrote to the Mariposa Gazette: "It is a great pity that this wonderful place could not all have been kept sacred and 'inalienable' for the wise purpose for which it was donated, and none of it given to private interests." The concession is certainly a huge private interest, is it not, and have you become one too?

I hear that now the National Park Service is pushing to start in on the utilities part of the ambitious Yosemite Valley Plan at great cost to the resources and the river (The entire Yosemite Valley is one big drainage system). Does this also mean more microwave facilities and wireless systems? If so, surely some of your large biology and utility staff must be aware that microwaves are dangerous to the health and well-being of people, animals, birds and even trees. Yosemite had multiple microwave antennae and repeaters even before March of 1997, and a large transmitting microwave tower in Foresta serving the town of El Portal - even though the Telecommunications Act of 1996 stated that a place such as a National Park was one of the very few places that might be exempt from their mandate. I noticed the pine trees in the east valley had browning of the needles in 1998, and now I hear that the large "Muir Tree" west of Yosemite Lodge is dying. Microwave towers and antennae in the vicinity would also cause your visitors, over hours, to feel extraordinarily fatigued, achey, or "down" or cranky. Employees and staff who live in the valley 24 hours a day could be

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Page 2

severely affected over time, as I was. Microwave facilities, and the use of radars, lasers, etc. should have no place - no business - in such a densely populated place as Yosemite Valley or any other place where there is concern for the well-being of biological life\*. In Yosemite, the wildlife and trees are one of its ORVs, and are specifically mentioned to be preserved and protected in the 1916 Organic Act which states the mission of the National Park Service. The wildlife and trees therefore deserve special protection and respect.

I was extremely disappointed in the Merced River Management Plan as there was not a conservation alternative. In addition, you invented zoning and "overlays" which the Wild and Scenic Rivers Act did not mention as possibilities. Although Judge Ishii gave you a year, or all the time you would have needed, you had it published and in the mail in three months. The Judge specifically said that your premature valley plan was not to influence the river plan and yet the river plan certainly does allow the \$441 million valley plan to fit all over it very nicely. For instance the Yosemite Falls Project with its large bus stop and new asphalt avenues all through the braided stream area: If there is an area of archeological and cultural importance and extreme environmental sensitivity it was certainly this one. Now large bathrooms, idling buses and thousands of people delivered to this area take away the spirit of the place and insult the sensitivities of the Native people. But what a loss to the "resource" - The thickets where the deer rested and gave birth are now surrounded by your project. In 1998 a mother bear and her two cubs delighted visitors for days as they dabbled in Yosemite Creek. In 1998 also the only bobcat I ever saw - a large, beautiful one - used to retire to this area. These are ORVs! How can it be that your "protective" river plan did not protect these streams and this forest and wildlife that are so close to the Merced River? The fact that the project requires seven bridges shows the extent of the wetland. Several years ago I learned that of all known substances, asphalt is the single most toxic one to a waterway, and you are covering wetland areas with it! Are your biologists up on this kind of thing? In 1997 there was a nice earthen trail and little wooden bridges that needed a little repair after the flood. This was adequate and more fitting to this natural area.

\* See the Neil Cherry Report for instance, or The Zapping of America (1997) See also enclosed sheet.

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YOSEMITE NATIONAL PARK

Scoping - RRP

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The Camp 6 parking lot is another project your river plan protected or allowed. In the spring, the wetlands at the edge even support ducks. Soon oil from the asphalt and parked cars and buses will begin to foul these pools and streams which drain into the Merced River about 100 feet away. Yet another large piece of the valley floor covered - SEALED - with asphalt. We could have had native grasses and wildflowers, dogwoods and azaleas and lilacs and a picnic area or nature trail full of wildlife and birds, but you have given us a parking lot instead. And you didn't announce it, or warn us or ask the people if that is what they wanted in this part of Yosemite Valley, even in all of your documents. And now consider the view <sup>of the Valley</sup> from the famous Glacier Point! The National Park Service has desecrated this famous inspirational viewpoint further with this large parking lot featuring blending shafts of light reflecting off of the hundreds of cars and buses parked there. You put in this parking lot just two weeks before Judge Ishii's decision which ordered that no further construction was to take place in the river corridor until you had a valid river management plan. I first discovered this project in progress on the evening I was in Yosemite Valley to attend the Scoping meeting for the Merced River Management Plan! From Glacier Point too can be seen the ugliness of buildings and asphalt and constantly streaming buses and how they detract from the scenery of Yosemite, which is its most outstanding Outstanding Remarkable Value. Myriads of elements and associations form Scenery, and it needs to be considered from every single viewpoint. The garage complex, for instance is one of the ugliest sites in all of Yosemite especially when seen from Glacier Point and the Upper Yosemite Falls trail. This is supposed to be moved out of the valley and the site left for revegetation: What is the holdups for a positive project like that - or getting on with the Yosemite Museum for instance - instead of all of these incredibly damaging and extremely controversial large construction projects (and in a National Park!) NPS does not deserve to be the agency sworn to protect our national parks any more. They have failed the people in their duty, are conducting a charade with these plans, and have done irreparable damage in Yosemite.

I can't help but wonder how very different Yosemite's River Management Plan might have been if it had been done over three years as ordered by Congress, and completed in 1991. There were park employees and very committed citizens in those days that fought hard

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Scoping - RRP  
Page 4

for the sake of the Merced River, even traveling to Washington to testify before Congress for its sake, to protect it. Why didn't everyone get started then on the plan to manage it? Why didn't NPS join BLM and the USFS and work on a comprehensive plan all together (Three heads are better than one)? I believe we might have had a far more protective plan in 1971 - and might still be enjoying the Merced River Gorge and the lovely view of the cascading river, and the shady, tree-canopied and beautiful scenic route 140 leading in to Yosemite Valley and also many other natural places we used to see - if NPS had done what the U.S. Congress required. (Ten years late is OK?)

The entire Yosemite Valley and El Portal region are scenic from the tops of the cliffs and mountains to the rocks in the river. All of the biological life between is also an ORV and contributes to the scenery. Buildings detract from the scenery, as do large buses, cars and crowds of people. Your plans involve large buildings and construction projects right in the midst of the ORVs. In addition it herds thousands of people a day into a few small areas which destroys the resources and the experience of the visitor. The advertising by the concession attracts people from all over the world to motel rooms, swimming pools, fine dining and sports bars. You allow English theater - the Gracebridge Dinner - to continue in Yosemite, now with three performances instead of one. Why? And a private institute serving California schoolchildren is allowed a permanent location in the midst of rare meadowlands supporting many endangered species and also and free run of Yosemite Valley. I am supportive of native programs and experiences for young people, by why inside of a national park? Why not a state park? The Evergreen Lodge was for sale not long ago, which would have provided a perfect situation for Yosemite Institute, but outside of park boundaries. Why are they given a piece of Yosemite National Park? If you desire to reduce congestion in Yosemite then you must consider first the number of "locals" that are living and working in the valley, the fact that there is a village of permanent residents requiring supermarket, school, etc., and constant traveling in and out of the valley. Crane Flat also is a congested area and will be far more so with the further development of Yosemite Institute. These "extracurricular" things do not belong in the center of the treasure if you seek to protect and enhance the resources.

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Scoping - RRP  
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I can certainly see the wisdom in the Wild and Scenic Rivers Act recommending  $\frac{1}{4}$  mile protection on each side of the river, and  $\frac{1}{2}$  mile of protection for all tributaries. Nearly all of Yosemite Valley and El Portal would be protected under those guidelines, as they should be. Besides this, a national Park is unique. It is a nature and scenery preserve essentially. It was not meant to go the way of an amusement park, but to be left uniquely itself with people respectfully discovering and enjoying its charms. Services for people would be absolutely minimal as in many other national parks, but more helpful, such as free drinking water available, clean restrooms, a bicycle exchange for valley touring, more and frequent ranger programs and guided walks by the park service. In addition, Yosemite Association could disseminate for more interesting information about Yosemite and conduct free interpretive programs and nature walks, as this association was created to do as an assistant in the interpretation of Yosemite's natural history alongside the Park Service. This was carried out until the thundercloud of "Mission 66". Now services are minimal and everything comes at a high cost. The Research Library is exclusive but we would all benefit if the national park rangers + planners used it to get a head for the history of Yosemite which was only first "discovered" in 1851.

Please bear in mind that Yosemite is also a World Heritage Site. This is a great honor and greatly increases your responsibility to protect its "resources" the ORVs. I was born + raised in Hawaii and didn't see a chipmunk or a deer until I was well into my 20s. Raccoons, pine trees, maples and oaks I didn't see until my 30s. Wildflowers, blue jays and woodpeckers, dogwoods and tamaracs were a marvel to me. I had never seen a bear or a bobcat, a water ouzel, live oak, Douglas fir, sugar pine, ponderosas or the mountain hemlocks, white pines, marmots, or the Stellar's Jay, etc. until I came to Yosemite. There are millions of people all over this earth like me - that have never, ever before seen a Wild and Scenic River or crystal streams. Think of this when you spin your schemes for your "valley plan."

I grew up in this wonderful country and was a little girl in the 50s. In those days park superintendents were <sup>credited</sup> ~~credited~~ bear cubs and gave them a name. Friendly park rangers mingled with the people and talked to them all about Yosemite, the trees, the animals the birds. In those days the U.S. Forest Service had Smokey the Bear, and handouts saying "Save Little Trees from Fire". Today these agencies are selling fire to all of our forests and killing bears as though there is a bounty on them. What has happened?? Perhaps the microwaves are affecting our agency people. Perhaps they should be turned off in Yosemite National Park and El Portal to see if that helps to come up with a new, revised, protective Merced River Management Plan.

while I was living in Yosemite, starting in 1998 I noticed



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Leaping - RRP  
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that Tenaya Creek in the late summer and fall was a brown-orange color and the backwash areas were disgusting. It wasn't like this in the summer and autumn of 1997. Tenaya Creek and the Merced River became more and more foul looking in the succeeding four summers. I noticed the orange-brown discoloration began right below a large silt deposit left in the Tenaya Canyon by the 1997 flood. Viewed from Glacier Point, the Merced River is also darkly discolored in the East Valley. The edges of the river are foul, especially noticeable around Sentinel Beach. What is under the silt deposit in Tenaya Canyon? Is all of the sewage from the Ahwahnee Hotel still coming through an 8" pipe?

Also, where does all the water come from to service the thousands of hotel and motel guests and employees that are living in Yosemite Valley on any one day? I mean the water for the laundry, showers, toilets, swimming pools, etc.? The Merced River is extremely low this year, and it made me start wondering about that.

Regarding user capacities: the less people in any one area the better for the resource and the visitor's experience. Your way of managing people brings masses to the same spots, and directs masses onto the same trails. Dispersing visitors, getting folks on bicycles, and better thinking (i.e. bicycle path on southside drive where all the picnic areas and beaches are, rather than the north side through valley's most dangerous rockfall zone) will help as will curbing the distracting and petty concession circus. Getting employees and village inhabitants out of the valley will reduce congestion and resource destruction. Such a situation as you plan for Yosemite Falls area certainly strains the capacity.

And regarding the river boundaries: the outstanding remarkable values in El Portal and Yosemite, and the scenery, are from the mountaintops to the river. The entire place is scenic, and an ORV. Protect them for future generations.

Sincerely yours.

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Wawona, CA

September 10, 2004

Mr. Michael J. Tollefson  
 Superintendent, Yosemite National Park  
 P.O. Box 577  
 Yosemite, CA 95389

FAX: 209 379 1294

REF: Merced Wild and Scenic River  
 Revised Comprehensive Management Plan  
 Supplemental Environmental Impact Statement

Dear Mike:

I thank you for the opportunity to provide Scoping Comments on the above referenced plan.

That you are now being required by the Court to revise the previously adopted MRP to address *user capacities* in the Merced River corridor raises my level of concern for the public's right of access to Yosemite Valley. Restating the history of Yosemite Valley is important to understanding the legal ramifications of addressing user capacities of a corridor through Yosemite Valley.

The history of Yosemite Valley and the Mariposa Grove is unique and these two areas must be treated differently than the rest of Yosemite National Park. The historic Act of Congress in 1864 granting Yosemite Valley and the Mariposa Grove to the State of California stipulated that these lands were to be held for "**public use, resort and recreation; and shall be inalienable for all time**". It required acceptance of those express conditions by the State, which was done by the Governor and ratified by the California Legislature in 1866.

By Act of Congress in 1890, the land surrounding Yosemite Valley totaling 42 townships was similarly withdrawn from settlement and set aside as reserved forest lands. This Act provided for the preservation of natural resources, curiosities or wonders within the reservation but specifically excluded the grant of lands made to the State of California in 1864. This Forest Preserve was later called Yosemite National Park.

In 1905, the California Legislature receded or regranted Yosemite Valley and the Mariposa Grove back to the United States under the same express conditions, "*...to be held for all time by the United States of America for public use, resort and recreation*". The recession was to take effect only upon acceptance by the United States. In 1906 the Congress, by Joint Resolution of the Senate and House of Representatives, ratified and accepted the recession and regranted **under those express conditions**.

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September 10, 2004

The conditions *"...to be held for all time by the United States of America for public use, resort and recreation"*, which were thus imposed on the land comprising Yosemite Valley cannot be removed nor can they be ignored. When you begin to address user capacities of the corridor, you begin to limit the public's use for resort and recreation.

Likewise, the designation of Wildemess in Yosemite has an acknowledged impact on the public's access to areas of the Park. That the wildemess boundaries currently intrude into the Yosemite Grant boundary has created a similar conflict that must be resolved.

It is my understanding that except for El Portal, the river corridor boundaries are not going to be changed with this revised CMP. However, I suggest that you consider changing the boundaries to exclude Yosemite Grant lands from the MRP river corridor. The Wild and Scenic Rivers Act does not apply to private lands and the conditions which were imposed on the Yosemite Grant lands are similar to rights acquired by ownership. The public has a right to use these lands for resort and recreation.

I appreciate opportunity to provide Scoping Comments for this important planning effort.

Sincerely,

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YOSEMITE NATIONAL PARK

Civil Engineer

cc: Hon. George Radanovich, Member of Congress  
Donald W. Murphy, Deputy Director NPS  
Matthew J. McKeown, Special Assistant to the Solicitor

Public Comment - Sent by email & Fax to 209/379-1294

03:39 PM 9/10/2004 -0700, Comments for Revised Merced River Plan/SEIS

Date: Fri, 10 Sep 2004 15:39:19 -0700

To: Yose\_Planning@nps.gov

From:

Subject: Comments for Revised Merced River Plan/SEIS

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YOSEMITE NATIONAL PARK

If this is not the correct email address to provide comments regarding the Revised Merced River Plan/SEIS, please forward this email.

For the past 25 years, our middle-class family of four (2 adults, 2 children - now young adults) has camped in Yosemite Valley for one week each summer.

Not having a lot of money, we could not afford the cabin/hotel accommodations and so we chose to "rough it" by sleeping in tents in the Valley campgrounds for seven nights (the maximum stay). These experiences brought our family together and our children learned to respect nature and truly value the beauty and wonder of the natural environment.

We visited all of the available campgrounds and chose Upper River campground as our favorite (this was a "tents only" location, no RVs allowed). We were especially thrilled those years when we were lucky enough to obtain a campsite on the banks of the Merced River. How peaceful and delightful to be able to sit in our chairs next to the tent and be able to enjoy the Merced River.

As you can imagine, over the years we have explored each aspect of the valley - the hikes, the Visitor Center, the Indian demonstrations (a favorite), the walking tours, the Ranger talks, pony/horse rides and rafting down the Merced. Yosemite Valley holds a special place in our hearts and is filled with many wonderful memories that we continue to build on each year.

We were so dismayed when the Upper and Lower River campgrounds were flooded and the decision was made not to reopen them. So we chose the next desirable location which is North Pines Campground.

This past summer we were fortunate enough to have a North Pines site next to the River. Our neighbors, 2 adults and 2 children were visiting Yosemite for the first time. The parents did a good job of educating their young children about respecting nature, respecting the River, and keeping their site clean. It was wonderful to observe that those same values that we passed along to our children years ago were being passed on to a new generation.

We provided our comments a few years ago but it seemed that they were basically ignored. I truly hope that this time some of our comments are valued, respected and considered. We believe that it is possible to develop a harmony, a balance between keeping the Valley/River pure and natural with no evidence of human impact and the other extreme of being overly developed and becoming a commercialized resort type area. We certainly hope that the NPS chooses to incorporate some of the wishes of the general public.

#### SPECIFIC COMMENTS

1. Campers need more campsites and prefer to camp along the River bank. We value and respect the River and although I realize that walking down to the River may create a path, if this is so terrible, why allow any people whatsoever into the Valley? Upper and Lower River Campgrounds should be restored, and North Pines Campground should be retained. The current proposal mentions creating more "group" campsites and creating additional sites in Upper Pines. Geez, we're trying to enjoy nature and have a family experience, we don't want other campers so close to us that we all crammed into one little space. Many of the campsites in Upper

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Pines are way too close. And many times when there are more than 6 people in one campsite that campsite is noisy and spoils the tranquility of the camping experience.

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YOSEMITE NATIONAL PARK

#1 Summary:

RESTORE UPPER RIVER AND LOWER RIVER CAMPGROUNDS  
DO NOT REMOVE NORTH PINES CAMPGROUND  
EXPAND THE RIVER OVERLAY TO ALLOW FOR CAMPSITES ALONG THE MERCED RIVER  
DO NOT REMOVE THE HORSE STABLES  
DO NOT REMOVE THE APPLE ORCHARD  
KEEP YOSEMITE VALLEY AFFORDABLE FOR THE AVERAGE AMERICAN FAMILY

2. There should be a certain amount of cabin/hotel type accommodations but we do not believe that the numbers of the most expensive accommodations need to increase. Keep the valley accommodations affordable for the average American. It doesn't make sense that a for-profit company is running the concessionaire as their logical goal is to increase the profit margin. They would certainly want to increase profits with more commercialization. We believe that the average U.S. citizen wants to preserve the essence of the Valley rather than have further development, crowding, traffic and more roads/pavement.

Thank you for the opportunity to provide comments.

Sincerely,

San Diego, CA

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SEP 09 2004  
 RMR-S-88  
 YOSEMITE NATIONAL PARK

To: yose\_planning@nps.gov  
 cc:  
 Subject: Yosemite and the rivers

Please, we need to keep wilderness areas as wilderness so we can hike, see wildlife in its natural state, and find some peace on a polluted, overpopulated, stressful planet. We don't need development or roads or off road vehicles. We need a sanctuary to escape from those things to.

---

Do you Yahoo!?

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[http://promotions.yahoo.com/new\\_mail](http://promotions.yahoo.com/new_mail)

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SEP 09 2004  
 RMR - S - 87  
 YOSEMITE NATIONAL PARK

August 18, 2004

Superintendent  
 Post Office Box 577  
 Yosemite National Park, CA 95389

Re: Yosemite Valley River Campgrounds

Dear Sir or Madam:

Please re-open the "RIVER" campgrounds. A flood ever 100 years is not a good enough excuse not to rebuild them after the floods of '97.

Thank you.

Sincerely,

San Francisco, CA

INFO	ACT	RECEIVED: 8/23/04	INIT	DATE
		Superintendent		
		Deputy Superintendent		
		Assistant Superintendent		
		Chief Administration		
		Chief Business Revenue		
		Chief Interpretation		
		Chief Facility Mgmt		
		Chief Resources		
		Chief Visitor Protection		
		Chief Project Mgmt		
		REPLY DUE:		

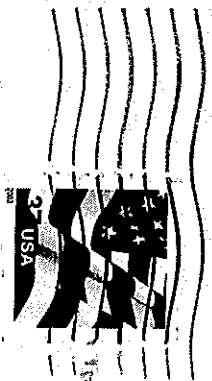
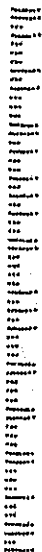
San Francisco, CA

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YOSEMITE NATIONAL PARK

Superintendent  
Post Office Box 577  
Yosemite National Park, CA 95389

95389-0577





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SEP 09 2004  
2mR - S - 86  
YOSEMITE NATIONAL PARK

To: yose\_planning@nps.gov  
cc:  
Subject: Invalid Revised Merced River Plan

The following comments are for the Invalid, Revised Merced River Plan.

- Do not remove North Pines Campground
- Restore Upper and Lower River Campgrounds
- All campground sites and bridges are historical sites just like Camp 4 which is now in the Federal Register of Historical Places
- It is the support for developed structures and concessions that denegrates the Valley and the river.
- Measure the environmental impacts of the support services (ie: vendors, staff, employees, car/bus/truck trips per day for the concession services) per person vs. the camper visitor population.
- The environmental denegration by support services is far less for campers than for those that use the concessions such as restaurants, hotels, cabins, river rafting outfitters, tour busses, tour trailers.
- Measure the concession visitor population and their habbits v. the camper who parks his car and hikes, bikes and sits in camp.
- Open Group camping along Tenaya Creek to spread out the multiple families that over populate one site.
- Limit the size of RV's and their choice of campgrounds. Spaces are too small in North Pines, which could be only tent camping.
- Consider the expansion of the tent camper with a small trailer or pop up tent v. the RV support services for waste water, road wear, generator exhaust, and the fact that the roads are engineered for cars not RV's and bus vehicles.
- Remove the raft concession which has high density denegration; let the campers, who come with their own raft, do the rafting dividing entries over a much wider area and causing less damage.
- If you remove the stables, aren't they a good back up for emergency rescue, whether it be in the back country or the Valley (if and when there is a natural disaster).
- Compy with A.D.A. standards: all camp & lodging restrooms fail to meet specifications
- Maintenance in the campgrounds has been under neglect for decades, which adds to the deterioration of the banks. The NPS has failed to add that fact into their analysis or planning scope. The NPS has neglected campground maintenance and blames it on the campers. Guess what, the lodging concession users come to the campgrounds to float on the river. Evaluate a reduction in lodging and you reduce the point loading of the river banks.

-Survey the campers for their opinions, which has not been adequately undertaken in the last 25 years, neglected since the 1980 GMP.

Santa Monica

RMR-5-86

# Yosemite National Park

National Park Service  
U.S. Department of the Interior



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## Public Scoping Comment Form

### Merced Wild & Scenic River

SEP 09 2004  
RMR S-85  
YOSEMITE NATIONAL PARK

## Revised Comprehensive Management Plan/SEIS

All interested individuals, organizations, and agencies are invited to provide written comments or suggestions during the public scoping period on this project. Written comments may be mailed to: Superintendent, Yosemite National Park, P.O. Box 577, Yosemite, CA 95389 (Attn: Revised Merced River Plan /SEIS). Written comments may also be faxed to: 209/379-1294. Electronic comments may be transmitted to: [Yose\\_Planning@nps.gov](mailto:Yose_Planning@nps.gov) (in the subject line type: Revised Merced River Plan/SEIS). Keep track of project status by regularly visiting the park's web site at [www.nps.gov/yose/planning](http://www.nps.gov/yose/planning).

**Note:** Anonymous comments will not be considered. If you do not want your name or/and address to be subject to public disclosure, please state that at the beginning of your comments. Such requests will be honored to the extent allowable by law. Generally, The National Park Service will make available to the public for inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses.

Name: \_\_\_\_\_

Date of Comment: 9/02/04

Address: \_\_\_\_\_

Wawona CA,

### Comments

1. Install ~~friendly~~ "Friendly" visible signs enforcing regulations on littering. For example \$500 fine for littering or possibly more etc.

2. TAKE more proactions vs. reactions  
"Anticipate" do surveys like the ones being done on the ecosystem aftermath from floods 8 yrs. ago in the Valley.

When the Air pollution ~~gets to be~~ becomes (unbearable)  
in any Geographical location, ~~then~~ only then the E.P.A. cracks  
down... How does it get to this point in the first place?  
(pseudo analogy)

(continue comments on back of page)

P.S. Thanks for doing what you guys do!

Wawona CA,

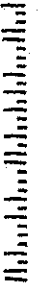
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Pmk 5-85  
YOSEMITE NATIONAL PARK



Superintendent  
Yosemite National Park  
P.O. Box 577, Yosemite, CA  
95389

(Attn: Revised Merced River Plan/SEIS)



# Yosemite National Park

National Park Service  
U.S. Department of the Interior



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## Public Comment Form

SEP 09 2004  
RMR 5-84  
YOSEMITE NATIONAL PARK

All interested individuals, organizations, and agencies are invited to provide written comments or suggestions during public review of any project. Please submit written comments to: **Superintendent, Yosemite National Park, P. O. Box 577, Yosemite, CA 95389 (Attn: <Name of Project>)**. Written comments may also be faxed to: (209) 379-1294. Electronic comments may be transmitted to: [yose\\_planning@nps.gov](mailto:yose_planning@nps.gov) (in the subject line type: <Name of Project>).

**Note:** Anonymous comments will not be considered. If you do not want your name or/and address to be subject to public disclosure, please state that at the beginning of your comments. Such requests will be honored to the extent allowable by law. Generally, National Park Service will make available to public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses.

Project Name:

*Invalid*  
*Revised Merced River Plan*  
(Please use a separate form or sheet of paper for each project you are commenting on)

Name: \_\_\_\_\_

Date of Comment: SEPT. 8, 2004

Address: \_\_\_\_\_

LOS ANGELES, CA.

### COMMENTS

- 1) PLEASE ADHERE TO THE "1980 GENERAL MANAGEMENT PLAN". 1968 HAD 1005 CAMP SITES IN THE VALLEY. 2004 HAD 379. THE NEW PLAN HAS 500+. IT REDUCES VALLEY CAMP SITES BY 50% ✓
- 2) THE PROPOSED CAMP SITE, ALONG THE HAPPY ISLES ROAD, IS PRECARIOUSLY CLOSE TO THE "ROCK FALL ZONE". ✓
- 3) RESTORE GROUP CAMP ALONG TENAYA CREEK. SINCE ITS REMOVAL GROUPS ARE TAKING UP INDIVIDUAL CAMP SITES. ✓
- 4) RESTORE UPPER AND LOWER RIVER CAMP GROUNDS TO THEIR ORIGINAL SPLENDOR. ✓
- 5) ENCOURAGING RAFTING AROUND STONEMAN BRIDGE ENRICHES THE CONCESSIONAIRE WITH RAFT RENTALS, WHILE MULTIPLYING THE BANK DEGRADATION PROBLEM. THE MERCED RIVER BANKS WILL

DIEN

(Continue comments on back of page)

BE BETTER PROTECTED BY PERMITTING RAFTING ALONG THE  
ENTIRE RIVER -

- 6) LAST AND MOST IMPORTANT YOU ARE CREATING A  
POTENTIAL DISASTER BY CLOSING THE NORTH-SIDE ROAD  
FOR PUBLIC USE, LEAVING ONE EXIT FOR THIS DEAD-END VALLEY. YES,  
THE INTENT IS TO KEEP THE ROAD AVAILABLE, BUT IF A CALAMITY  
STRIKES THAT ROAD WILL NOT BE ACCESSIBLE -
- 7) YOSEMITE VALLEY IS FOR ALL TO ENJOY -

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SEP 09 2004

R.M.B. 5-84

YOSEMITE NATIO. PARK

Los Angeles, California

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SEP 09 2004  
RMR 5-84  
YOSEMITE NATIONAL PARK

ATTN. REVISED MERCED RIVER PLAN

SUPERINTENDENT  
 YOSEMITE NATIONAL PARK  
 P.O. Box 577  
 YOSEMITE, Ca. 95389

**THE UNIVERSITY OF CHICAGO**



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SEP 09 2004  
RmR 5-83  
YOSEMITE NATIONAL PARK  
Page 1 of 16

September 8, 2004

Copy to: Amy Schneckenburger - PM

Michael Tollefson, Superintendent

ATTN: "New and Improved" Merced River Plan/SEIS -9 P 1.00

P.O. Box 577

Yosemite, CA 95389

Superintendent Tollefson:

We are pleased to provide scoping comments to be used in developing a new and improved Merced River Plan/SEIS. We trust that the National Park Service (NPS) will enthusiastically embrace this unique opportunity by designing a plan with specific measurable goals and objectives that will truly protect the Merced River and its environs.

In the spirit of John Muir: "When we try to pick out anything by itself, we find it hitched to everything else..." And so it is with user capacity and boundaries at El Portal. According to the Wild and Scenic Rivers Interagency Guidelines (1982), *user capacity* is defined as:

- the quantity of recreation use which an area can sustain without adverse impact**
- on the outstandingly remarkable values and free-flowing character of the river area,
  - the quality of recreation experience, and
  - public health and safety.

As a foundational element that impacts every other management element, determination on user capacity cannot be made in isolation and simply plugged into the invalid Merced River Plan. Instead such determination must be integrated in combination with other management elements such as land-use management zoning—elements that, in and of themselves, will most certainly require revision. The new and improved Merced River Plan must be more than just a cursory effort to shave off square corners to enable it to squeeze into a round hole. It must embrace the larger vision and responsibility of the Park Service to protect and enhance the Outstandingly Remarkable Values (ORV) of the Merced River corridor.

...without adverse impact on the ORVs and free-flowing character of the river area

As stated in Section 10(a) of the Wild and Scenic Rivers Act (WSRA), the "primary emphasis shall be given to protecting [the River's] esthetic, scenic, historic, archaeologic, and scientific features." The Federal Guidelines go on to state that "each component will be managed to protect and enhance the values for which the river was designated, while providing for public recreation and resource uses which do not adversely impact or degrade those values." This is referred to as the nondegradation standard. WSRA then provides examples of possible River values such as scenery, recreation, fish and wildlife, geology, history, culture, and other similar values—but the primary emphasis still rests with the esthetic, scenic, historic, archaeologic, and scientific features.

1. Document Baseline Resource Conditions and Monitoring Program. A recent (2002) technical assistance paper published by the Wild and Scenic Rivers Interagency Commission states as a management directive: "To achieve a nondegradation standard, the river-administering agency must document baseline resource conditions and monitor changes to these conditions." Such a scientific base of information would need to document the resources that are to be protected and preserved in the



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park; the condition of those resources; any changes in condition over time; and actions needed to ensure preservation (Natural Resource Challenge Action Plan, 1999). And though park documents have referred to an aggressive Inventory and Monitoring Program within five years of a 2000 Record of Decision—such a program needs to be in place FIRST to provide information critical to the planning process. Now in 2004, it still appears little progress has been made.

For example, an ecological restoration report was released by the Park in June of 2003 which included details of a workshop held in November of 2002. Some very honest random comments by workshop participants included:

*"Have monitoring plan in place before start of restoration: 1. Need adequate baseline information; a) Monitor migration of in-stream woody material; b) Soil compaction bulk density measurements"*

*"... park should collect reference data on existing conditions now for Tenaya and Merced, so have reference for future monitoring. Work on Tenaya Creek should be performed within first five years of project, so work can progress from upstream through downstream areas."*

*"... noted that she doesn't feel it's possible to restore Valley to pre-Euro American contact because of the extent to which the landscape has changed"*

*"Don't want to keep doing what we've been doing just in case we are going on the wrong path"*

*"Experiment with small plots in every area. Monitor over 1 year and then proceed with area that does best"*

Such comments clearly imply that baseline information on condition of resources as well as a monitoring program are lacking.

Meanwhile, the Park just released categorical exclusions to proceed with data collection studies that include installation of 110 ground water monitoring wells and soil pits; collection of tree coring samples; geotechnical subsurface exploration and wetlands delineation; and debris flow research. At a recent meeting [attended by Jeanne on May 3], Chief of Natural Resources and Science Dr. Niki Nicholas revealed that the reason these studies were so important was that the park has "no baseline information," that in order to proceed with restoration, her staff needs "a place to start." We applaud Dr. Nicholas' honesty and her efforts to begin the process of gathering baseline data.

However, the above-mentioned comments validate our concerns with respect to the lack of a sound scientific base of information with respect to resource conditions and monitoring. How can the Park hope to achieve the nondegradation standard mandated in WSRA without such documentation? How will this lack of information imperil the planning process?

2. **Outstandingly Remarkable Values.** In reviewing various WSRA guidance documents, it is acknowledged that there is no "official" definition of ORV. However, there is common agreement that an ORV should constitute the very best of the best and that it be river related or river-dependent. Is there anything regionally or even nationally to compare—and what was used as the basis for comparison? Do visitors travel great distances specifically because of a particular ORV—something not available anywhere else? In some cases, other plans have weighted ORVs to assist in carrying out goals and objectives.

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According to the 1982 WSRA Guidelines, management plans must state the kinds and amounts of public use which the river area can sustain **without impact to the values** for which it was designated. And though specific management strategies will vary according to classification they will always be designed to protect and enhance the values of the river area. The very definition of user capacity mandates no adverse impact on the ORVs.

Recognizing the importance of ORVs, the WSRA Interagency Commission (2002) provided another management directive: "Thoroughly define the ORVs to guide future management actions and to serve as the baseline for monitoring." Though the invalid Merced River Plan made a feeble attempt to define ORVs, it fell far short in justifying selection, denoting goals for protection, and specifying how management prescriptions would achieve stated objectives.

It is also interesting to note (according to WSRA guidance documents) that "classification is often confused with outstandingly remarkable values." For example, a river classified as recreational does not imply that the river will be managed or prioritized for recreational use or development. It is understandable that the Merced River segment in East Yosemite Valley was classified as "recreational" by virtue of the evidence of human impact along its shorelines. However, it is not clear why "recreation" is considered to be a river-related world-class ORV. For instance, from the standpoint of rafting, it is easily understandable why the Kern River or even the Grand Canyon's Colorado River would include recreation as an ORV; visitors come from all over to participate in whitewater rafting not available elsewhere. It's a recreational activity in and of itself. Though floating down the Merced is enjoyable and certainly something to do, we question whether it's rare, unique, or exemplary; and yes, it's beautiful but is that not because of the inspiration drawn from the scenic or geologic ORV. Our concern is that by declaring recreation as an ORV, it will be used as justification for prioritizing recreational use or development (e.g., raft rental facility, RV hook-ups along the river corridor, etc.), often to the detriment of other ORVs. Recreation at Yosemite is no-doubt enjoyable—but does it result in an activity not available anywhere else; that may be the case with big-wall rock climbing—but floating, hiking, fishing, picnicking, etc.?

This leads to the discussion as to whether the National Park Service (and by extension, the concessionaire) should be in the business of "marketing" recreation (e.g., raft rentals, bicycle rentals, tent rentals, fishing/backpacking rentals and sales) or merely "accommodating" recreational activities for those who supply their own equipment. The ready availability of Park rentals, pandering to impulse decision-making by visitors, serves to increase activity in sensitive areas, resource "wear and tear," and potential safety issues. Conversely, if rentals are *not* available, visitors self-select their participation in a recreational activity based on whether or not they've chosen to go through the hassle of bringing/supervising their own equipment. The visitors themselves voluntarily reduce the impacts as opposed to the Park issuing more restrictions. We are reminded of being in the vicinity of the raft rentals and nearly run over by excited rafters racing down to Stoneman Bridge to put their raft in the water; we then watched the gigantic blue diesel bus followed by a box truck drive through sensitive Sentinel Beach picnic area every half hour to pick up rafters and bring them back to the rental facility. The invalid River Plan spoke of ORVs being in conflict. We have a difficult time understanding why the NPS would allow the concessionaire to operate a busy raft concession that accelerates severe

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erosion of the river bank alongside Stoneman Bridge; drive huge diesel vehicles through peaceful Sentinel Beach wiping out picnickers enjoying natural quiet (guess they aren't of the same financial priority to the concessionaire) while ultimately degrading the entire area. Though the concessionaire may profit from rentals, concessionaire profits should not determine park policy. And we fear that now the NPS will use these areas as examples of damage caused by visitors and why more restrictions must be implemented—when it's really a situation of "cause and effect" as initiated by the Park's own concessionaire.

Another example: WSRA mandates 'Scenic' and 'Esthetic' as *primary emphasis* elements. 'Scenic' is also an ORV for the segment of the Merced River corridor in East Yosemite Valley. That being the case, WHY was the Yosemite Fund allowed to construct a restroom that looks more like a mini-lodge, and an outrageously oversized bus stop structure that looks like a monument to the Fund's private architect? One would think "fundraising" was the ORV rather than preserving the scenic value of Yosemite Falls and the Merced River corridor. Shuttle bus stops should be understated so as not to interfere with the scenic value of the river corridor, yet we have learned from the NPS that other bus stops will now take on the character of their location (e.g., the LeConte bus stop will have the same roof design as the LeConte Lodge); this sounds more like the cutesy bus stops at Disney World than the rustic, unobtrusive design one would expect at a national park.

Another area of concern is the Park's convoluted definition of what constitutes the Cultural ORV, a definition so hollow that it results in a lack of protection and an excuse to degrade. The WSRA mandates that 'Archaeologic' and 'Historic' are *primary emphasis* elements, while the Main Stem of the Merced River designates 'Cultural' as an ORV. Yet project after project (e.g., Lower Yosemite Fall EA, Curry EA, Utility EA, Yosemite Lodge EA, etc.) trumps the cultural ORV in favor of something else. There are no clear goals, objectives, or management prescriptions to clearly protect the archaeologic, historic, or cultural values of the Merced River Corridor. We suggest the following explanation of the Cultural Resources ORV as defined in a plan for the Hanford Reach:

*The Native American perspective of cultural resources contrasts with the generalized EuroAmerican view as presented by state/federal law and pursued in academia (adapted from SOR, 1995). The Native American perspective is characterized by a broad, holistic view which treats virtually all elements and features of nature as cultural resources; while the EuroAmerican perspective defines cultural resources as finite, unique, non-renewable examples of past human lifestyles, emphasizing scientific identification and evaluation of physical sites and artifacts (USACE, 1996).*

*The predominant view of the non-Indian may be one of physical preservation and site specific. But the Indian perspective is more toward preservation of the remembrance of the individual and a feeling of what was used by people before as utilitarian. The preservation of an object, simply for preservation, is secondary.*

— Louie Wynne, Spokane Tribe

### **Objectives**

*To protect, monitor, and interpret cultural resources in accordance with relevant legislation and protocol. Also, to secure and/or maintain fishing access for treaty tribes. Both will require cooperation and coordination with federal, state, and tribal entities.*

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periodically thereafter to determine the quantity and mixture of recreation and other public use which can be permitted without adverse impact on the resource values of the river area. Management of the river area can then be planned accordingly." The amount of use an area can sustain is inextricably linked to how the resource is to be managed. Adhering to hollow zoning delineations that were developed without resource and monitoring information coupled with a lack of user capacity research renders any 'new' Plan fatally flawed. Current land-use management zoning appears to have been designed to accommodate predetermined development projects rather than protection of natural resources as the primary focus. We urge the planning team to broaden the scope of this effort and redo the land-use management zoning.

...without adverse impact on the quality of recreation experience

1. Define the visitor experience. The visitor experience and its intrinsic relationship to the esthetic, scenic, historic, archaeologic, and scientific features or "core values" of Yosemite Valley and the Merced River corridor must be clearly defined. *Resource-focused* opportunities unique to a national park setting, based on resource preservation as opposed to resource exploitation, provide the framework for such a definition (e.g., camping as a resource-based activity that requires minimal permanent infrastructure vs. the multitude of services and facilities required to support upscale lodging and bus touring). It is impossible to objectively evaluate/measure any adverse impact on the quality of the visitor experience (as required in establishing user capacity) if that experience has never been defined. To declare that the visitor experience is whatever the visitor wants it to be is unacceptable and will continue to facilitate the special interest feeding frenzy taking place in Yosemite Valley. Concessionaires have carried on the 'want' versus 'need' debate for more than a century; the Merced River Plan can finally provide the foundational backbone that will guarantee true protection and preservation of Yosemite.

2. Resort Experience or National Park Experience. Is there a difference??

*Enjoy magic from dawn to dusk. Make yourself at home in a cabin, or stay in secluded campsites for tents and all types of RVs. Hike winding paths, explore nature trails on horseback and have the time of your life in the great outdoors among hundreds of acres of natural beauty. Savor a variety of dining options including sit-down meals, cool drinks and quick snacks to go. Have some rustic fun in the great outdoors with recreational activities for the entire family. Escape to the rustic charm of a Resort that recalls the majesty of the grand National Park Service lodges from the Great American Northwest with a soaring split-log lobby, eight stories high, honoring American craftsmanship and artistry. Pools, beach, banking services, camera rental, guest services desk, children's activities, credit cards accepted, dining, snack bar, laundry facilities, lounge/bar, kennel, shopping, water rentals, bike rentals, fishing, horseback riding and pony rides, campfire sing-a-long. Buses (Motor Coach) service the resort both internally taking guests to the attractions and externally transporting guests to the Ticket and Transportation Center.*

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The previous description promotes Fort Wilderness Resort and Campground at Walt Disney World. And now from DNC at Yosemite...

*Encompassing 1,170 square miles, an area the size of the state of Rhode Island, this unique destination offers both expansive wilderness as well as the guest services and amenities you would find at a year-round resort. This site is managed by Yosemite's primary concessionaire, Delaware North Companies Parks & Resorts at Yosemite, Inc. (DNC at Yosemite), which provides the majority of visitor services in Yosemite National Park, including lodging, food and beverage, retail operations, transportation, tours and recreation services.*

*There's so much to do at Curry Village, you might find it hard to leave to explore the rest of Yosemite! **Food and Beverage Services** - the Curry Village Pavilion serves all -you-can-eat buffet style breakfast and dinner service daily. Other seasonal options include Taqueria, Pizza Patio and Bar, Curry Ice Cream Stand and Curry Coffee Corner. **Gift Shop** - Sundries, newspapers, gift items, magazines, books, posters, snacks and ATM machine. **Swimming Pool** - Outdoor swimming pool with showers and changing rooms. **Amphitheater** - Ranger/naturalist programs, slide presentations and scenic movies. **Yosemite Mountain Shop** - Offers extensive inventory of camping, hiking, and climbing goods, dehydrated food and snacks. **Tour & Activities Desk** - Obtain information or arrange for tours, transportation, Yosemite Mountaineering School classes, horseback or mule rides and other activities. **Curry Recreation Center** - Standard bicycles in all sizes may be rented for the day or by the hour. Rafts may be rented from mid-May to mid-July. **Yosemite Mountaineering School** - Rock climbing instruction, guided hiking and backpacking and rental equipment are available. Cross-country skiing instruction and rental equipment are available November to April. **Transportation** - Free Valley shuttle service to various locations in the park is accessible, including winter service to the Badger Pass Ski Area. **Ice Skating Rink** - Open daily from late November to early March, the outdoor ice rink also offers skate rentals and instruction. **Nearby Activities** - Guided tours, stable rides, rock climbing, hiking, fishing, photography and ranger/naturalist programs, snowshoeing, downhill skiing and cross-country skiing are all located nearby.*

Is the goal of the visitor experience to encourage the public to spend TIME in direct interaction with the resource or spend MONEY at the resource? Recalling a 1997 article:

*"In 1993, Delaware North landed a 15-year contract to manage food and lodging at America's oldest national park. The government and Delaware North negotiated a deal that gives the concessionaire a little more freedom in the park in exchange for a higher percentage of revenue being returned to the park. Under the new contract as much as 20 percent of revenue Delaware North derives will go to the government. However, much of that money will be funneled directly back to the park to improve facilities. "We see this as a win-win situation," Jacobs says. "It is an opportunity for us to 'exploit' the natural assets of the park in a way that actually complements the park, instead of harming it." ("Jeremy M. Jacobs: Delaware North's Intrepid Captain Loves 'The Thrill of the Deal'", by Paul King, Nation's Restaurant News, January 27, 1997.)*

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And there's the rub. "Exploit the natural assets." "Improve facilities." "...gives the concessionaire a little more freedom in the park in exchange for a higher percentage of revenue returned to the Park."

Defining the visitor experience is the first step in deciding what facilities are needed. There is a direct correlation between facilities and revenue generation; the concessionaire claims to want to "improve facilities" (which of course facilitates higher prices and increased profits), but the question should be does the Park even need those facilities. Once upon a time there was a goal that "visitors can step into Yosemite and find nature uncluttered by piecemeal stumbling blocks of commercialism, machines, and fragments of suburbia" (1980 GMP). Do swimming pools, pizza parlors, bars/liquor outlets, gift shops, equipment sales/rentals, 22-bay bus depot with expanded restaurant seating, never ending streams of buses, in-room TV, RV hook-ups, etc. contribute to the uniqueness of Yosemite Valley or are they intrusive "fragments of suburbia"? What is the base level of services to be provided in the Valley and what is the base level of employees required? Each employee needs housing, food, water, parking place, HR services and more, requiring an increased development footprint while adding to the capacity in the park. At present, it appears that 80% of the development footprint in the Valley is in support of the 20% of visitors who stay overnight in the park.

A resort is usually privately owned and challenges the manager to design activities that will enable the enterprise to stay in business. Resorts are not subsidized by the taxpayer but must generate their own revenue based on what the market will bear; if visitors don't come, the resort goes under. National parks are publicly funded by taxpayers and owned by the American people; regardless of the number of visitors, the parks will always be funded. Transforming our national parks into concessionaire resorts creates inherent conflicts of interest ranging from capacity issues to preservation to revenue generation. What do Bracebridge Dinners at \$300, Chef's Holidays, Vintner Holidays, etc. have to do with the central mission of a national park—other than increase revenue for the concessionaire. Why is Yosemite promoted as a place to hold conferences—other than to increase revenue for the concessionaire. And all the while the increased level of services, employees, and infrastructure required to support such resort-style activities takes its toll in wear and tear on Park resources—frequently during the off-season when the Park needs time to regenerate from busy summer use. If a visitor is desirous of resort-style services and activities, there are facilities in the gateways outside the Park that can accommodate that lifestyle. The interpretation of legislation that declares that the concessionaire must be allowed to make a reasonable net profit needs to be reexamined; acquiring one park contract after another, it appears that Delaware North has greatly expanded its influence and is redirecting the mission and policies of the National Park Service toward a more elitist, commercialized, and homogenized experience rather than the more traditional back-to-nature experience associated with a National Park.

2. Camping in Yosemite. There has been a significant public outcry over the 40% reduction by the NPS in family camping opportunities in Yosemite Valley. At the Subcommittee Hearing held in the Park on April 20, 2003, Paul Minault of The Access Fund provided an excellent analysis on the value of camping as a resource-focused activity:

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*National Park Service management policy is to "encourage visitor activities that . . . foster an understanding of, and appreciation for, park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources." Management Policy 2001- 8.2 Visitor Use (emphasis added). In our comments to the Valley Plan, we listed the ways in which camping enhances the visitor experience, furthers park values, and promotes the enjoyment of Yosemite National Park through a direct association with park resources.*

- First, we pointed out that camping is a form of recreation, unlike lodging in developed accommodations, which is a form of leisure.*
- Second, camping promotes a closer relationship to park resources than any other form of overnight accommodation.*
- Third, camping distances the visitor from the commercial values of comfort and convenience and the expression of social status through consumption that pervade American society. Camping brings the visitor closer to nature, the simple necessities of daily life, and the way people lived in the past.*
- Fourth, camping is democratic. In campgrounds, social distinctions account for little, and camping has the potential to bring people together in shared appreciation of their natural surroundings in a manner that reduces social barriers. The nations' great parks present an opportunity to be a force for social equality. Unfortunately, the lodging picture in Yosemite preserves the social distinctions of the greater society, rather than leveling them, which we believe should be a goal of the parks.*
- Fifth, camping is inherently communal. Campers have an enhanced opportunity to associate with other people, develop new relationships, and broaden their social horizons. Unfortunately, the Valley Plan largely ignored these values, with the result that camping suffered the loss of 300 campsites in the Valley. Instead, the park now emphasizes exclusive and expensive lodging over traditional camping accommodations that are more in line with NPS management policies.*

Camping and its place in Yosemite have largely been left out of the zoning and visitor experience debates. The Rivers Campgrounds were closed by administrative mandate. Meanwhile, more and more campers are being squeezed into smaller and smaller sites at Upper and Lower Pines Campgrounds creating increased human-bear conflicts, law enforcement conflicts, and greater opportunities for environmental degradation. It's as though the NPS is attempting to create such a negative situation that ultimately it will become the justification to get rid of camping in the Valley altogether—as being more trouble than its worth.

The Rivers Campgrounds as well as North Pines Campground are now lumped into a project misnamed "Ecological Restoration." The area is zoned for Day-Use: *"The Day Use zone enhances opportunities for visitors to enjoy more intensive recreational activities near the Merced River and supports a range of active recreational opportunities such as swimming, picnicking, and rafting, which contributes to the diversity of experiences specified in the recreation Outstandingly Remarkable Value. Visitors can expect moderate to high numbers of encounters with other park users and crowding on certain peak days. Large groups can use these areas." "...due to the larger volume of visitors, the Day Use zone will be managed with moderate tolerance for resource degradation from visitor use in specified areas." "By encouraging higher visitor use in the Day Use zone, adjacent Open Space and*



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*Discovery zones will experience the desired lower visitor use for these areas.* It is not clear how larger volumes of visitors and a moderate tolerance for resource degradation fits with "ecological restoration" and why such a designation is environmentally preferable to a well-designed campground—unless the ONLY motivation is closing the road between the Rivers Campground as part of implementing the busing system, all other things not to be considered. And to add insult to injury, the plans are to remove the bathrooms and ultimately, the utility infrastructure from the area; how can a large volume of visitors be directed to an area with no restroom facilities? We've been told by the NPS that restrooms are available at Housekeeping and Curry; show us the young mother with multiple children who is going to walk a child any distance to a bathroom. The Merced River will become the public toilet.

As alternatives are developed in the new Merced River Plan, we hope that the Park will present choices with respect to the quantity and mix of recreation the land can sustain. Larger campsites? Tent only campsites rather than RV hookups for up to 65' RVs/extra vehicle (why isn't there a length limit considering the fragility of the resources)? Expanded camping opportunities (Rivers, North Pines) but possibly rotating campgrounds annually giving the land an opportunity to recover? Replace Ahwahnee cottages with camping opportunities? Reduce Yosemite Lodge development and replace with camping opportunities? Campers need to be actively involved in the debate as to the role of camping as an integral part of the visitor experience in Yosemite Valley.

4. Social Equity. Any discussion of user capacity, which as defined includes the quantity of recreation an area can sustain without adverse impacts on the quality of the recreation experience, MUST include an in-depth examination of the recreational patterns of low income and non-Anglo populations. According to the Valley Plan, "It is generally believed that low-income and minority visitors to the park are underrepresented in the total visitor population. However, the overnight accommodation and recreation patterns of low income and minority park visitors have not been studied in detail. As a result, the impacts on low-income and minority overnight and day visitors cannot be analyzed quantitatively. It may be assumed that visitation patterns of low-income visitors tend toward the more inexpensive methods: day visits, camping, housekeeping, tent cabin rentals..." And yet with minimal socioeconomic data, the Valley Plan's most significant changes are with respect to day visits, camping, and rustic/tent cabin rentals.

The Plan also states "the largest percentage of visitors to Yosemite National Park (26%) have an annual household income greater than \$100,000. The smallest proportion of visitors (5%) have an annual household income of less than \$20,000. By contrast, in the State of California the largest percent of the population (37%) has an annual income below \$20,000. The data illustrate that people from low-income households are largely underrepresented in the population of visitors to Yosemite... This is true on both a statewide and regional basis."

For example, picnicking is a low-cost, resource-focused activity that can be enjoyed by families of all economic levels. The invalid Merced River Plan zoning closes some popular picnic areas completely while making the remainder only accessible by bus—a major inconvenience for families. In fact, the Valley Plan acknowledges "the style of picnicking is... likely to change for many visitors from car-based (grills, coolers, etc.) to daypack or box lunch picnics, with major adverse impacts. Some visitors



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might find it more convenient [and costly] to purchase food at food service facilities, losing the picnic experience."

With respect to overnight accommodations (camping/lodging), the Valley Plan touts a reduction of 1,037 opportunities since 1980. Approximately 89% of that reduction is the result of eliminating campsites (470 drive-in sites) and tent cabins (453)—the most affordable (and close to nature) options for spending a night in Yosemite Valley. Meanwhile rustic accommodations at Camp Curry will be upgraded (and more expensive) while plans for new facilities at Yosemite Lodge call for a more upscale experience.

As an aside: there was much press with respect to a recent NPS outreach effort to underrepresented populations in the Fresno area encouraging them to visit Yosemite and Sequoia. Though such efforts can be valuable—it would seem that by virtue of what is on tap for Yosemite, outreach in this situation was extremely misleading. The Park is downsizing affordable overnight options, making reservations for what remains that much more difficult to obtain; picnicking appears to be a thing of the past; and the vision for the future involves packing the family onto a bus, all for an additional cost. Though the NPS can surely benefit from such photo-ops as they compete for funds from Congress, was it on the backs of low-income citizens who could truly benefit from a long-lasting relationship with a national park—a park that welcomes them in words AND in actions/policies? (Adding insult to injury, it is disappointing to see the NPS invest critical funds to send Yosemite representatives to a Hong Kong travel expo to recruit high-paying international visitors while Americans who pay taxes to fund the national parks find them increasingly unaffordable.)

As a publicly funded entity, the national parks must serve ALL Americans. It appears that many of the plans and policies now advocated in Yosemite are resulting in economic discrimination—especially for the day visitor. One can't help but recall another Delaware North quote: "I think we would be looking at full-service kinds of parks. I don't think we would be so interested in day-tripper kind of parks." ("A Sharper Focus;" Buffalo News, 10/3/99) By controlling the manner in which day visitors access the Park (buses), separating these visitors from their rolling storage lockers (i.e., their personal vehicle), has the concessionaire found a way to make "day trippers" more profitable? (The Valley Plan acknowledges that bus passengers spend more money.)

Quantitative studies with respect to recreational patterns of low-income and non-Anglo populations are critical to future land-use management zoning and user capacity determinations and should inform any decisions presented in the new Merced River Plan.

...without adverse impacts on public health and safety

1. Geologic Hazards/rockfalls. Any discussion of user capacity also includes discussion of the quantity of recreation use that can be sustained without adverse impacts on public health and safety. Such a discussion should include an in-depth study of rockfalls, talus zones, and shadow-zones as they relate to management zoning along the River Corridor. It is irresponsible to dismiss rockfalls as a common occurrence in the Park when geologists are fully aware of areas where the dangers are greatest.

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For example, rockfall activity in the vicinity of Glacier Point has been significant over the past several years. Yet the Curry Village EA states that "redevelopment of facilities within the common area of Curry Village (which includes Curry Pavilion, the historic visitor registration, retail facilities, and employee facilities such as housekeeping, maintenance, and employee lounge facilities) would be within the rockfall zone. All of these facilities are considered standard occupancy [nonessential structures], except the Curry Pavilion... The retention of Curry Pavilion in the rockfall zone would result in a local, long-term, moderate, adverse impact to public health and safety." The EA goes on to state that "tent and wood cabins remaining within these hazard zones would continue to be a risk to public health and safety and would remain a local, long-term, moderate, adverse impact to public health and safety." Meanwhile, the Park is moving forward with plans to locate concession employee housing in an area immediately adjacent to the latest rockfall activity last Christmas.

In a narrow valley where nearly all land is classified as a highly valued resource, it would seem that any structure determined to be "nonessential" should be removed altogether. But that would impact the concessionaire's "right" to make a net profit—yet it is unconscionable to place profit ahead of safety. Again, the discussion reverts back to defining the visitor experience in a national park. At the very least, detailed, updated rockfall studies should occur throughout the Valley and be coupled with development of user capacity requirements (which explicitly state no adverse impact on public health and safety) in advance of any management zoning decisions.

2. Evacuation/Emergency Plans. East Yosemite Valley is a box canyon. User capacity determination is directly related to health and safety should a major emergency occur. Plans to bus untold numbers of visitors into a box canyon, plans to close Northside Drive and convert Southside Drive to a 2-way, plans to close the road between the Rivers Campgrounds, plans to overnight concentrated numbers of visitors in the easternmost, least accessible part of the Valley (campgrounds, RV loops, employee housing, and Curry Village)—all directly impact the ability of the Park to evacuate huge numbers of visitors in a very short period of time. User capacity must be considered in concert with management zoning to ensure the safety of visitors in an emergency situation.

#### Transportation Component

Both the invalid Merced River Plan and the tiering Yosemite Valley Plan (invalid?) support and implement the NPS vision of converting the Valley from auto-touring to mass transit tourism.

The foundational element of transportation system design is user capacity. In a recently released (11/15/02) report, *"National Park Service: Opportunities to Improve the Administration of the Alternative Transportation Program,"* a U.S. General Accounting Office (GAO) investigation substantiated that each NPS busing proposal is supposed to address non-construction alternatives (i.e., simple remedies such as traffic management that would not involve road widening/realignment, bus depots, etc.). Additionally, each proposal must mandate park capacity data (i.e., user capacity) to guarantee that a bus won't bring in more people than what the user capacity will allow.

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In closing, we're including an excerpt from "Yosemite: The Embattled Wilderness," by Alfred Runte:

*For Yosemite to remain distinctive, management must practice—not just preach—those forms of behavior ensuring that distinctiveness. Every landscape shared differences; few rose to such uniqueness. That uniqueness, in 1864, allowed Americans to herald Yosemite as a symbol of national pride. ...the gift of preservation is still essential to every future opportunity. Each succeeding generation, like Yosemite's first, must pass the park along, "inalienable for all time." Yosemite is too important to be just another place. Civilization has many undeniable advantages, yet even the most inventive civilization has never built a Yosemite. Yosemite by every imaginable standard is one of a kind. In that perception, and no other, lie the only tried and true principles for guiding the future of the park's natural heritage.*

We call on the planning team to seize this opportunity to develop a new and improved Merced River Plan that will establish the foundation for truly protecting the Merced River Corridor and Yosemite. Setting politics aside and putting protection of Yosemite first, *this* planning team can leave no greater legacy.

Sincerely,

Oakhurst, CA

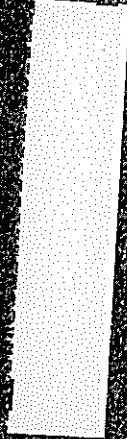
cc: Supervisor Gary Gilbert, Madera County-District 5  
U.S. Senator Dianne Feinstein, California  
U.S. Representative George Radanovich, California-19<sup>th</sup> District

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To: <yose\_planning@nps.gov>  
cc:  
Subject: Possibly Spam: Merced Wild and Scenic River Revised  
Comprehensive Management Plan and Supplemental Environmental  
Impact Statement

Dear NPS:

While I place a significant importance on protection and preservation of the river system it is also important to protect the recreational uses of this river and public access to it. I am not saying that efforts to preserve the river are not necessary and that some areas of the river, for restoration purposes, may require limited access. Much of this is already going on in the Yosemite Valley and I think generally it has been done with sensitivity to the park visitors. There are those that would erect a barrier around the entire river and cut it off entirely from any public access with a "look but don't touch" attitude, and attempt to set the carrying capacity at "0". This cannot happen. Part of the beauty of this river is best enjoyed when you can participate with the river. Too much restriction on access to portions of the river will result in anger, resentment and ultimately loss of public support for protection efforts. Public Access is essential to public participation in funding for preservation.

I am not expert enough to suggest what the levels of access vs. restriction may be, and I will not attempt to do so. There are experts on the NPS staff that can make far better judgments about these issues. Rather I want to emphasis that balance is required, in preservation and primary and secondary contact recreational issues. Balance is compromise. Don't fence off the river and totally cut off access from it. The river has been in contact with, and to some degree shaped by, people for thousands of years. Even though there has been some damage and alteration of the natural river system the river remains to this day by and large healthy. The Merced must certainly be considered a recreational river. I would like to quote the the Wild and Scenic River Act:

"Each component of the national wild and scenic rivers system shall be administered in such a manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values."

This section has been interpreted as: "Each component will be managed to protect and enhance the values for which the river was designated, while providing for public recreation and resource uses which do not adversely impact or degrade those values."

The very nature of Yosemite Valley and it's relationship to the Merced will cause difficulty with interactions with the development in the Valley. Again certain vocal groups who are interested in "removing people from Yosemite Valley" will attempt to use this designation to eliminate facilities which are essential to the public use of the entire Valley and not just the Merced study zone.

"Major public use facilities such as developed campgrounds, major visitor centers and administrative

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headquarters will, where feasible, be located outside the river area. If such facilities are necessary to provide for public use and/or to protect the river resource, and location outside the river area is infeasible, such facilities may be located within the river area provided they do not have an adverse effect on the values for which the river area was designated."

The Yosemite Valley Management plan and the Yosemite Lodge Plan make great strides in eliminating offending facilities while maintaining facilities for public use and enjoyment. The Act does allow for trails and other recreational uses near the river:

"Resource management practices will be limited to those which are necessary for protection, conservation, rehabilitation or enhancement of the river area resources. Such features as trail bridges, fences, water bars and drainage ditches, flow measurement devices and other minor structures or management practices are permitted when compatible with the classification of the river area and provided that the area remains natural in appearance and the practices or structures harmonize with the surrounding environment."

"...provided that the area remains natural in appearance ...", these are the things that many recreational users of the river area including myself are seeking when we venture into the river area. The ability to observe close up and enjoy the natural river processes are exactly what many seek.

It is possible to combine recreational use with preservation and that is the charge of the National Park Service, this is the reason for it's creation. Protect and preserve but do these in balance with reasonable public uses.

Thank you for your time and attention.

Hanford, CA

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SEP 09 2004  
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To: <yose\_planning@nps.gov>  
cc:  
Subject: River campgrounds

As a longtime visitor to Yosemite and a volunteer at the Yosemite Sierra Visitors Bureau in Oakhurst, I plead with you to please open at least the Lower River or Upper River campground. There are not enough campgrounds in Yosemite that are accessible to visitors, which turns them into very grumpy visitors when they come into the Visitors Center asking where they can camp.

You'll say there are campgrounds up the Tioga Road, but have you looked at some of those access roads lately, like the one to Yosemite Creek Campground. In this day and age many people have at least a tent trailer and the potholes on that road could swallow you up, or at least ground you.

The River Campgrounds were not washed out, they just had mud and debris in them that could have easily been cleaned up. Instead the Park Service went in and started ripping out the cement parking blocks, etc. which were not damaged by water. Those camps were also closed at the time of the flood, which might not happen for at least another 100 years.

Think a little bit about the visitors' needs instead of your own wants.

Sincerely,

Ahwahnee, Ca

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YOSEMITE NATIONAL PARK

To: <Yose\_planning@nps.gov>  
cc: <Gale\_Norton@ios.doi.gov>, "Michael Tollefson"  
<michael\_tollefson@nps.gov>  
Subject: Revised Merced River Plan

Thank you for encouraging input for Merced River Plan revision . . . but I would ask that you consider changing your process of planning altogether. I know that this input is federally mandated by NEPA, so you are in compliance with the law, but the spirit of this law is that federal agencies work together with affected public to bring about results that all can live with, not just token input.

That is why I ask that you set aside the current Merced River Plan and the Yosemite Valley Plan, and form a planning team that would be comprised of representatives from all interested parties. This team would be charged with not only developing a plan that all can live with, but monitoring the outcome and revising as necessary. That way the Park Service would not constantly be in conflict with its public, and not be solely responsible for the outcome. After all, the Parks do belong to the public, and the Park Service ideally should be caretakers, not decision-makers.

This idea may seem a little radical, but it is not new, and has been done quite successfully in other countries. I know that I am addressing only the Planning Department of Yosemite, and that you may not have the authority to make this happen, but you are in a position to pursue it. I am also forwarding a copy of my request to higher authorities, in hopes that the historical adversarial relationship between the public and the Park Service can be changed to a peaceful partnership that will secure the future of Yosemite and all the National Parks.

Oakhurst

cc: Supt. M. Tollefson, Dir. G. Norton, Rep. G. Radanovich, Sen. D. Feinstein